TELOS

NUMBER 119 SPRING 2001

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Attention

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The last issue,* Telos *118, is dated Winter 2000. This one,* Telos *119, is dated Spring 2001. Having fallen a full year behind for reasons beyond our control, the four issues that were supposed to come out in the year 2000 — Spring 2000, Summer 2000, Fall 2000, and Winter 2001 — do not exist. This will not affect either individual or institutional subscriptions, since they are credited according to numbers. All subscriptions listed by year will simply be moved up one year.

The Editors

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Justice and Prudence: Principles of Order in the Platonic City

Catherine Pickstock

There is an imbalance in many general accounts of the Platonic dialogues. It involves an over-emphasis on a dualism between matter and spirit, body and mind. Of course, it is impossible to deny such a dualism, which ultimately derives from the pervasive ancient Greek division of reality into shaping mind and form, on the one hand, and unformed material chaos, on the other. However, Plato's dialogues are not dominated by such a dualism. Often, it has been said that Plato unambiguously denigrated life in body, time, society, history, myth, ritual, mimesis and poetry; in fact, in physical mediations of all kinds. Yet, recent scholarship suggests that Plato had his own specific way of valuing and even exalting all such mediations.[1]

This division in the reception of Plato is nothing new. It arose with Neoplatonism. Although Neoplatonism moved in a non-dualistic direction, since it tended to derive even the lowest material degree of reality

1. See Jean-Louis Chrétien, *L'inoubliable et l'inespéré* (Paris: Desclée de Brouwer, 1991); Gerald M. Mara, *Socrates's Discursive Democracy:* Logos *and* Ergon *in Platonic Political Philosophy* (Albany: SUNY, 1997); Leo Strauss, *The Argument and the Action of Plato's* Laws (Chicago: Chicago University Press, 1975); and, *The City and Man* (Chicago: Chicago University Press, 1964); Thomas A. Szlezák, *Reading Plato* (London: Routledge, 1999); Zdravko Planinc, *Plato's Political Philosophy: Prudence in the* Republic *and* Laws (London: Duckworth, 1991); Hans-Georg Gadamer, *Dialogue and Dialectic: Eight Hermeneutical Studies on Plato* (New Haven: Yale University Press, 1980); Hans Joachim Krämer, *Plato and the Foundations of Metaphysics*, tr. by John R. Caton (Albany: SUNY, 1990); Jacob Klein, *A Commentary on Plato's* Meno (Chicago: Chicago University Press, 1965); Stanley Rosen, *Plato's* Statesman*: The Web of Politics* (New Haven: Yale University Press, 1995); and Catherine Pickstock, *After Writing: On the Liturgical Consummation of Philosophy* (Oxford: Blackwell, 1998), Ch. 1.

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from the supreme One or Good, Plotinus emphasized an upward ascent away from matter and into, first, the realm of the soul, and, second, the One.[2] By contrast, his successors, Proclus and Iamblichus, stressed more the descent of the first principle into the world of material multiplicity. In their writings, this was linked with the idea that dialectical interrogation is completed by ritual practice, which alone enables the full attainment of union with the One. This twin understanding arose for these thinkers out of a systematic reading of the Platonic corpus. Recent scholarship confirms that the Plotinian psychic and ascending interpretation of Plato needs to be complemented by a Proclean doxological ("theurgic") and descending interpretation.[3]

The objectives here are, first, to dislodge the dualistic understanding of Plato (and, concomitantly, dualistic construals of the Platonizing elements in early Christian thought); second, to intimate certain reasons why the merging of the Biblical and Platonic or Neoplatonic traditions often seemed so natural, whereas too frequently modern commentaries have tended to assume they were pulling in opposed directions; third, to encourage a modification of the oft-drawn contrast between Plato and Aristotle; and fourth, to qualify the (rather ironic) joint influence of an Anglo-Saxon analytic reading of Plato as the proponent of a flawed metaphysics and of interesting, but unresolved logical conundrums, together with the postmodern denigration of Plato as the source of the Western metaphysics of presence and essentialized interiority. This non-dualistic element in Plato is linked with the supra-philosophical place of religion in his thought. "Religion" here comprises both the necessity of public ritual practice for the attainment of wisdom, and the mediations of myth and continuous individual and collective praise of the divine. From such a perspective, Plato no longer appears as the proponent of a self-standing metaphysics. In his account, the goals of philosophy can only be realized by going beyond philosophy. This has implications for both philosophy and theology. First, it suggests that Platonism has a future in postmodern and postmetaphysical thought. Second, it shows that the relation of Christianity to Plato is not primarily a matter of faith to reason, but of an earlier articulation of both reason and ritual practice in relation to a later one.

One often reads that Plato is a dualist, and an early draughtsman of interiority, privatized presence to self and identity. It is claimed that for

2. See, for example, Plotinus, *Enneads* III. 5, 2; V. 8, 12; VI. 4, 2

3. Gregory Shaw, *Theurgy and the Soul: The Neoplatonism of Iamblichus* (State College: The Pennsylvania State University Press, 1995).

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Plato the optimum desired state is one of refined inward contemplation, and that Socrates was a kind of proto-Cartesian inventor of interiority. Sometimes, Plato does seem to err in favor of certain terms that implicitly prioritize the interior, the non-communicable, the self-knowing. The very fact that in the *Republic* Plato draws a structural parity between the soul and the city seems to suggest an extension of the private sphere of the soul to apply to society as a whole, and, concomitantly, as an abstraction from the body.[4] This possible emphasis on the private realm as the optimum site of truth and justice is apparently confirmed in the discussion of the nature and place of justice in the *Republic*, when Glaucon posits the cynical view of visible just rule: is such rule really just, since the ruler might simply be ruling in this way so as to augment by devious means the compass of his own power?[5] The truly just person, he argues, would have to be wholly invisible.[6] But, as Socrates observes, there is an aporia here: by definition, one will never know of the existence of such a just person, for the moment it ceased to be a secret the possibility of self-interest would belie the purity of his attainment of justness. Plato's resolution of this conundrum seems redolent of a supposed interiorization of virtue: although one can never check up on another person's justness, one can know it of oneself. If one is contemplating the good, one knows of one's own justice. Such exaltation of the esoteric self as the only reliable site of justice is superficially endorsed by Socrates' oft-quoted injunction that the knowledge for which one should strive is self-knowledge, which for Plato would have something to do with the soul and its recollection of the good.

However, despite this undeniable centrality of matters concerning the soul in Plato, in the *Republic* and elsewhere there is a significant tension concerning the priority of the soul over the city (or *vice versa*) as the optimum site of justice. In the *Republic*, Socrates seems to oscillate between talk of the soul and of the city, until one is uncertain where one ends and the other begins. Indeed, they are said to comprise the same tripartite structure, though on a different scale.[7] More significantly, there is no consistent stress in the *Republic* or elsewhere that *without the city* one can have the good at all. First, the philosopher-guardians of the *Republic* are only produced by the right kind of education, which in turn depends on

4. *Republic*, 434d-435c.
5. *Republic*, 366e ff.; see Adi Ophir, *Plato's Invisible Cities: Discourse and Power in the Republic* (London: Routledge, 1991), p. 68.
6. *Republic*, 359d, 361d.
7. *Republic*, 368d.

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the right kind of city. They are not produced esoterically from nothing, but receive *from without* the public traditions of their formation. Second, one should not see the soul and the city as opposed to one another, simply on the grounds that the former is unified and singular, and the latter is relational and multiple. Indeed, for Plato the principle of the one and the indeterminate two is construed *positively* as the site of participation in the good.[8] Moreover, if the true "city" is not primarily a complex of buildings and institutions enclosed by a wall, but rather comprises social bonds performed in the path of the good, then one must see the city not as an "unavoidable detour" (as Derrida claims),[9] but as the condition of possibility for dissemination of the good. It is precisely under conditions of *relationality* that the philosopher-guardian can recollect the good, and as the feathers of his soul begin to sprout, he can in turn pass on this beneficent effluence to others. Indeed, the notion of the city reaches its fullest realization in the *Phaedrus*, where, on an eschatological level, the immortal souls of the lover and beloved obtain a state of inter-subjective relationality in a kind of psuchical city beyond the present one.[10] So, far from the soul and the city being inimical metaphysical phenomena, souls can obtain to a state of relationality.

What is a City?

For Plato, the city is by no means a tiresome detour; it is *fundamental*, precisely because he does not construe the self as an autonomous entity: "Well, then," says Socrates in the *Republic*, "a city, as I believe, comes into being because each of us is not self-sufficient but is in need of much."[11] For Plato, the city is not so much a bounded edifice built of stone, but something perpetually enacted between people; it resides in perpetually renewed acts of association, and in what each person *adds* to another:[12]

8. See Krämer, *op. cit.*, Pickstock, *A Short Guide to Plato*, *op. cit.*, Ch. 1

9. See "Plato's Pharmacy" in Hans Joachim Krämer, *Dissemination*, tr. by Barbara Johnson (Chicago: Chicago University Press, 1981); Pickstock, *After Writing*, *op.cit.*, Ch. 1.

10. *Phaedrus*, 256b-d.

11. " 'The origin of the city, then,' said I, 'in my opinion, is to be found in the fact that we do not suffice for our own needs, but each of us lacks many things. Do you think any other principle establishes the state?' 'No other,' said he. 'As a result of this, then, one man calling in another for one service and another for another, we, being in need of many things, gather many into one place of abode as associates and helpers, and to this dwelling we give the name city or state, do we not?' 'By all means.' 'And between one man and another there is an interchange of giving, if it so happens, and taking, because each supposes this to be better for himself'." *Republic*, 369b-c.

12. See further Michael Oakeshott, *Rationalism in Politics and Other Essays* (London: Methuen, 1962).

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"So, then," says Socrates, "when one man takes on another for one need and another for another need, and, since many things are needed, many men gather in one settlement as partners and helpers, to this common settlement we give the name city."[13] The city is therefore both spatial — for it subsists *between* people in the form of a *relation* of some kind — and temporal — for it arises in the time inhabited by these acts of mutual supplementation and their renewal.

Now, for Plato, the question of what exactly a "city" is emerges only secondarily within the long discussion as to the true nature of justice. Indeed, the reason for "constructing a city in speech," as Socrates describes the proceedings,[14] is in order to discern its nature on a larger scale than would have been possible if one considered justice in the soul. Socrates says that to consider the "soul" is akin to squinting at little letters from afar off, while to regard the city is to look at the *same* letters, though much larger and closer to hand.[15] Although, in the *Republic*, a discussion of the city is a *detour* on the way to an apprehension of true justice, which is assumed to reside primarily in the soul, here things happen in reverse. Justice becomes *the detour* toward a discernment of the city. Why? Because, in the end, justice proved to be Plato's detour as well. He finally shows that one can only arrive at justice when one has *gone beyond* justice into the inhabited domain of the city, which involves more than justice for the full exercise of virtue.

Dikaiosyne translates roughly as "justice," but also means integrity, rule by law, and civic sense. Among poets such as Homer, justice was by no means the supreme virtue. It was one of several virtues, and pertained to the payment of debts.[16] In the work of pre-Socratic philosophers such as Heraclitus and Parmenides, it had a more cosmic meaning; "justice" was the regularities to be found in nature, the rhythm of creation and its destruction.[17]

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13. *Republic*, 370a-b
14. *Republic*, 369c
15. As an aside, it should be noted that this is curious, since the Socratic injunction to know oneself suggests that the soul is the thing *nearest* to oneself. Here it seems that the soul is further away than even the city. Of course, the reason for the soul's distance is that it is *more* than itself; it is transcendent. This is not to suggest that the city does not also exceed itself, that it is not in some sense also more than itself.
16. Alasdair MacIntyre, *Whose Justice? Which Rationality?* (London: Duckworth, 1996), Ch. 2; G. Vlastos, "Equality and Justice in Early Greek Cosmology," in *Classical Philosophy*, No. 42 (1947), pp. 156-178; C. H. Kahn, *Anaximander and the Origin of Greek Cosmology* (New York: Columbia University Press, 1960); E. A. Havelock, *The Greek Concept of Justice* (Cambridge, Mass.: Harvard University Press, 1978); Ophir, *op. cit.*, Ch. 2.
17. See Havelock, *op. cit.*; Kahn, *op.cit.*.

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According to the poetic view, where justice is something supra-mundane, and civic authority is seen as undergirded by the power of the gods, retold in the poetic stories of the tradition, civic laws are automatically reducible to a matter of the repaying of debts, or the rectification of imbalances by putting what has been displaced back into its proper place. Nowhere, however, is there any questioning of what these proper places are. Equally, where justice is seen as a "natural" matter by the philosophers, the given power-relations of society are seen as automatically "just." Those possessing power have the right to erect further civic, purely positive, not natural laws. So, once again, there is no question of intrinsically just distributions, only the restoration of non-debatable social positions. It is precisely these positions and their propriety which Plato begins to draw into question.

If there is no question of distributive justice, then human society becomes a matter of one self-interest being forfeited for the sake of another. This approach to human law is defended by Thrasymachus and Glaucon in Books 1 and 2 of the *Republic*. They argue that a ruler does not have to pursue justice in order to be a good ruler, and that justice is not essential for human happiness. For these two participants in the discussion, "justice" is simply an appearance or notion which people know how to use. Such a view is part of the Homeric legacy, where justice is simply one of several virtues, and by no means the most urgent. It is simply an ordering structure within human interaction, an architectonic which requires no questioning.[18] Thus, old Cephalus sees justice as a matter of the payment of debts.[19] A just man is one who follows a practical rule, independent of any particular political regime or psychological disposition. For Polemarchus, Cephalus' son, situated within a similar tradition, justice is to help one's friends and harm one's foes.[20] Broadly speaking, Socrates rejects these accounts of justice as purely conventional and pragmatic, on the grounds that they empty the word "justice" of all meaning: when people speak of a "just ruler" something more is suggested than a politically cunning ruler, or one who only *appears* to be interested in justice.

At the end of Book 2, however, a rather surprising definition of justice, after a painstaking dialectical dismissal of the various sophistic suggestions already mentioned, is proffered by Socrates. There is an attempt to establish a principle of original distribution of human goods apart from the mythical injunction of the gods, the play of natural forces, or the imposition

18. *Republic*, 359a
19. *Republic*, 366d-e, 379c
20. *Republic*, 311b-c, 334b; See Strauss, *op. cit.*, p. 68-71

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of tyrannical will. Justice is defined in very spatial, mundane terms as each minding his own business, i.e., justice is the division of labor, where each member of a community performs the tasks appropriate to their innate abilities. On a local level, this means that the person best skilled at farming will be a farmer; the person best skilled at making ploughs will take that as his task, and so on.[21] On a broader level, Plato's theory that justice is the division of labor enables him to expound a tripartite structure that determines not only political, but psychological reality.

What societal structure, then, does Socrates envisage as a just distribution of labor? At the lowest level of the social hierarchy, by far the largest category are the merchants and artisans, whose associated governing passion in the soul is *epithumia* or desire. Next comes the military class, comprising fighters whose governing psychic disposition is *thumos* or force. Finally, at the top of the hierarchy, is the smallest class of all, the ruling political class, whose associated disposition is *nous* or reason.[22] However, Plato often speaks of the uppermost two classes, rulers and fighters, as comprising one single guardian class.

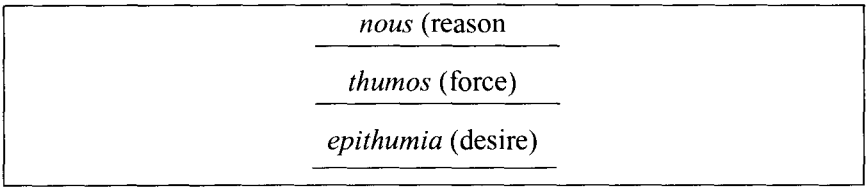

Figure 1: Justice as *the division of labor* (*Republic* 370 a-b).

In what, then, does justice consist, according to the division of labor? Here, justice resides in keeping these three classes distinct.[23] If the order should be dismantled, and the military should assert prime rule, or if the mercantile and artisan classes were to assume primacy, there would be no justice. Because of the psychological equivalents, the three classes correspond to the tripartition of the soul. Some people will

21. *Republic*, 370a-b, 395c, 496d, 500d, 507c, 530a.
22. *Republic*, Book 2
23. " 'Listen then,' said I, 'and learn if there is anything in what I say. For what we laid down in the beginning as a universal requirement when we were founding our city, this I think, or some form of this, is justice. And what we did lay down, and often said, if you recall, was that each one man must perform one social service in the state for which his nature was best adapted. . . . And again that to do one's own business and not to be a busybody is justice.' *Republic*, 433a-c

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have a greater proportion of desire or reason or force. Each person contains all three dispositions, but, as in the corresponding civic divisions, each must stay in its own proper place. There are two problems associated with this notion of justice as comprising the tripartition of labor in the city, i.e. two problems associated with Plato's definition of justice as such.

The Problem of "Rule"

What is the precise *content* of the uppermost function of political "rule" in the city? While it is clear what the lower two orders of people do, the highest class of rulers exists in a rather sinister empty way, simply subduing the other two classes by keeping them in their places. "Rule" seems to have no actual quality of its own, except as a rather manipulative, ominous super-force which wields sway over force itself, or the realm of *thumos*, the second civic category.[24] Moreover, it seems to be a very secular kind of category, for it suggests that the city can subsist without recourse to the good, and that justice, seen in these spatial terms of the division of labor, is suspended from an altogether dubious immanent power. The problem is akin to the contemporary notion of "politics," in the sense that it seems to be about everything — education, crime, economics — *but* politics. Insofar as this highest class involves an untraceable task, its power seems to be unlimited; it appears to assume an empty and therefore dissembling character whose elusiveness lends it a gloss of innocuousness.

So, what is the task of the ruling class? It is at this point that the government of the city (and therefore also of the soul) passes beyond its mundane limits. It is clear that the government of the city cannot proceed within the terms provided by the city alone (i.e., the hierarchical distribution of its parts) without reaching an *impasse*. Socrates here introduces the crucial "content" or "quality" of the ruling class: its task is "philosophy," or the contemplation of the good, which is outside both the soul and the city. The "ethical" is therefore defined as *more* than the protocols of justice.

However, it is still possible to criticize this. It is all very well to determine the ruling class as one devoted to contemplation of the good, but what does this mean in practice? If this vision of the good is mediated to the life of the city in no terms other than the already established division of labor, then in what sense, if any, does that "rule" emerge as anything but a tyrannical model of brutal subordination? The answer to this question is given at the end of the *Republic*. Socrates observes that one of the consequences of the soul's vision of the good is that such a person will

24. Ophir, *op.cit.*

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always keep to the upward way and will practice justice with prudence (*dikaiosyne meta phroneseos*).[25] Justice is not truly justice unless it is practiced with *phronesis* or prudent judgment. Socrates suggests this many times throughout the *Republic*.[26] Early in the dialogue, he says that a soul is in its best condition when it is most courageous and most prudent. A soul cannot rightly be said to be just unless it deliberates, judges, acts freely; but these are essential features of *phronesis*, not *dikaiosyne*.

So what exactly does *phronesis* add to *dikaiosyne* in the practice of rule? While *dikaiosyne* represents a spatial articulation or grammar of the components of the city, *phronesis* contributes a more *temporal* dimension, which mediates between the eternal realm of the forms and the need to make decisions concerning encounters with unanticipated temporal events. Socrates stresses that a grid of propositional laws or the sophists' unchanging "methods" do not have sufficient flexibility to negotiate the surprise of what arrives in the inhabited life of the city,[27] but judgments based on recollection of the transcendent good — beyond all dichotomies of near and far, space and time — paradoxically lend themselves better to a process of constant revision and improvisation in time of ever renewed proprieties. Of course, this does not mean that, according to the sway of *phronesis* in the city, protocols are radically discontinuous from moment to moment, simply being assessed by the reckless dictates of local circumstances. To the contrary, *phronesis* mediates to time that which lies beyond time, as an inexhaustible source of one-ness. It is precisely this which reveals the rigid propositional legalities of ordinary sophistic ethics to be, on the one hand, superficially reliable, but, on the other hand, wholly arbitrary and insensitive to the subtly different requirements of particular circumstances. It is therefore paradoxically the transcendent good above all that is more profoundly linked to time and its vicissitudes, and can be more utterly *incarnated* than any purely human attempts to obtain secure structures without recourse to the divine realm.

Aristotle takes over from Plato this idea of *phronesis*, but in such a way as to suggest a more decisive split between contemplation and ordinary practical life, between *theoria* and *praxis*, for instead of allying *phronesis* with the vision of the good, he links it more exclusively with the practical realm, where it is reduced to securing a compromise in the conduct of the

25. "But if we are guided by me we shall believe that the soul is immortal and capable of enduring all," *Republic*, 621c-d

26. *Republic,* 621c-d, 540a, 582a-d, 521a, 504b; see further Planinc, *op. cit.*, p. 102ff

27. *Republic,* 435c-d

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self, between reason and passion.[28] But Plato discerns a more mediating relation between the eternal and temporal domains, according to which *phronesis* comprises not so much a compromise within the self as a creative exercise of judgment on the exterior world via a manifestation of reason in time. For Plato, there is no hierarchy of theoretical and practical reason.[29] This open character or recursiveness of prudent judgment is allied in Plato to certain musical modes, whose rhythms and harmonies are seen to order or reassemble the soul after its incarnation and inevitable dispersal in time. So, while Plato condemns any attempts to lay down strict legal codes, he is nonetheless very stringent in his regulation of music and other matters of style, both in the city in general and in the education of the philosopher-guardians.[30] Any disintegration of musical discipline is seen to betoken disorder of the soul and ethical decline. From this circumstance, it is obvious that the detour via the city to define justice in the soul is all of a piece with the detour via the form of the good to define justice in the city as justice-with-prudence. While the vision of the good by the soul of the philosopher-guardian is necessary to enable the exercise of *phronesis*, it is equally the case that this vision of the good is only possible because inklings of the good are mediated by the patterns of *phronesis*, as embodied in the proper musical and stylistic practices of the city. Thus, the good and *phronesis*, the transcendent and the city are locked in a beneficial circle: *phronesis* needs the good, *but* those who see the good must first have inhabited the *ritual* mediations of the good in the city. The detour for the soul via the city and the forms is but one and the same passage.

The Loss of Philosophy

The first apparent problem, then, with the tripartition of the city, namely, the apparent contentlessness of the uppermost class of rulers, can be resolved by recourse to the mediation of the forms through *phronesis* in time. But there is a second problem linked to the tripartite vision of the city, which is the debasement or contamination of philosophy in the sordid realm of mundane transactions in the sensible realm.[31] When the philosopher

28. John Milbank, *Theology and Social Theory: Beyond Secular Reason* (Oxford: Blackwell, 1990), pp. 326-376; see also Macintyre, *op. cit*, p. 69. See also Hans-Georg Gadamer, *The Idea of the Good in Platonic-Aristotelian Philosophy*, tr. by P. Christopher Smith (New Haven: Yale University Press, 1986).

29. *Republic*, 519b-521a, 402b-d, 485a-487a; *Phaedo*, 114a-115a.

30. *Laws*, 700a-701b.

31. Leo Strauss, *The City and Man, op. cit.*; J. G. Gunnell, *Political Philosophy and Time: Plato and the Origins of Political Vision* (Chicago: Chicago University Press, 1987), p. 151 ff.

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re-enters the city, he somehow loses himself, and his grasp on the good is weakened. The political life of the city is at best akin to life in a cave; so much is this the case that Socrates identifies the city with the cave.[32] This means, on the one hand, that those best equipped to rule, i.e., the philosophers, are unwilling to do so, and, on the other, that when they begin to lose their insights under the prevailing pressures of sophistry, the true aristocratic philosophic city becomes unstable and degenerates into other forms of government. This degeneration appears inevitable, because Plato seemed to envisage a real separation between the three psychological forces. To a certain extent, *reason* was seen as inherently outside the dispositions of force and desire. His account in the *Republic* of the inevitable cycles of political decline, from aristocracy to oligarchy and then tyranny, appears as a pessimistic resignation to the fact that when one incarnates reason one will lose it in the fray of force and desire.[33]

There are several different resolutions to this problem of the "loss" of philosophy, and the instability of the philosophical city. Is Plato's demarcation between the three psychological parts of the soul — reason, force and desire — to be seen as absolute? The answer is no. For example, the desiring class of artisans is by no means excluded from the contemplation of the good. As Socrates stresses, craftsmen (who belong to the lowest order, the desiring class) must, in the course of their art, deploy *phronesis* so as not "to let the crucial moment pass." While it is true that other members of the city seem often to be swayed more by desires and force than by reason, the craftsmen *must* have some access to reason. In order to make a couch or a chair, says Socrates, the craftsman must after all consult the forms.[34]

Here, the tripartite structure of society cannot be seen any more as a non-negotiable or rigidly fixed spatial grid; to some extent it is qualified by the fact that every soul contains all three psychological aspects, although in each person one aspect will come to the fore. This means that the philosopher-ruler will not find himself mediating the good to a realm wholly devoid of insight, so there will be elements within the city which will help to stabilize its government, and safeguard against the city's degeneration into inferior forms of government.

The problem of degeneration is caused by the fact that reason is seen

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32. *Republic*, 485b-486, 496c, 499c, 501d, 517c, 519c-d, 530e.
33. *Republic*, 543c-547a.
34. "And are we not also in the habit of saying that the craftsman who produces either of them fixes his eyes on the idea or form, and so makes in the one case the couches and in the other the tables that we use, and similarly of other things?" *Republic*, 596b; see also 370b.

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as distinct from force and desire, even though all souls contain all three aspects. However, in Plato there are indications that desire and force are not entirely external to the realm of reason.[35] The relays of the higher *eros*, perhaps not so much in the *Republic* as in Plato's later dialogues, are depicted as contagious.[36] The philosopher-ruler does not merely *contain* his vision of the good, but disseminates or *transmits* it to others, even to the lower desiring classes of the city, just by virtue of his way of life. The good, as transcendent, cannot be circumscribed. Rather, it must be passed on to others via the operations of the higher *eros*.[37] So, if one reads Plato's later accounts of the higher *eros* back into the *Republic*, it is by no means inevitable that the philosopher-ruler's access to reason will begin to fail when he attends to supposedly lower matters of desiring, because reason turns out to be desire raised to a higher power. For this outlook, desire is not rigidly pre-ordained to a bondage to the ephemeral, but can be transformed. Far from being necessarily inimical to the order of reason, the lower orders of desire and force are suspended from it, and sustained by its relay of the contagion of the good.

The True Tragedy

The final, and perhaps the ultimate source of stabilization of the philosophic city, only tentatively discussed in the *Republic*, but more fully expounded in the *Phaedrus* and the *Laws*, is the *move beyond the ethical* into the *tragic*, or, one might say, the move beyond philosophy into theology. In his late dialogue, the *Laws*, the Athenian describes the city as "the true tragedy," "the finest and best we know how to make."[38] What does this mean? It is well known that Socrates banishes the tragedies of the Attic dramatists from his ideal city, on account of their immoral manipulation of the audience's private emotions of pity and fear via various covert devices of *imitation* (all forms of imitation being repudiated by Socrates on the grounds that they are representations at a third remove from reality, a mere copy of a copy, thus obfuscating access to the good and causing

35. See Strauss, *The Argument and the Action of Plato's* Laws, *op. cit.*, p. 124 ff,

36. For a description of the mediating thrall of the "higher desire" as a crucial force in Plato's notion of philosophy as a disposition towards, or *love for* the good, rather than as a neutral or systematic discipline wholly removed from force and love. See Pickstock, *After Writing*, *op. cit.*, Ch. 1; and *A Short Guide to Plato*, *op. cit.*, Ch. 1.

37. *Phaedrus*, 255c-d.

38. *Laws* 817b; see Helmut Kuhn, "The True Tragedy: On the Relationship between Greek Tragedy and Plato," in *Harvard Studies in Classical Philology*, Part One, Vol. LII (1941), pp. 1-40; Part Two, Vol. LIII (1942), p. 37-88.

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division in the soul).[39] For Plato, the city is the true tragedy, not because what occurs there is rueful or dreary, but because the city is where the battle of good against evil actually takes place. The souls participating in this drama are not divided from their reality by a playwright's artifices, so as falsely to yield cheapened or contrived emotions of pity and fear, but are here combined with the order of a wholly superior transcendent reason, which harmonizes the various dispositions of the soul.

Such a city is ordered in an entirely liturgical or ritual manner, taking as its paradigm the image of the order of the cosmos ruled by divine reason, where cosmic ratios regulate human activities through a perpetual celebration of the divine.[40] As well as legislating with great care the music, song, dance, sacrifices, and play of the citizens of this city, the Athenian articulates the calendar by means of no fewer than three hundred and sixty-five festivals in a year, so that not a day will pass without a liturgical feast.[41] By thus habituating the soul via the impress of divine harmony and rhythm in bodily maneuvers of song and dance, the Athenian hopes to banish all interior divisions and delusions, so that the whole city can "utter one and the same word,"[42] and all the citizens of the city are strung "together on a thread of song and dance."[43] Such an image suggests that through the articulations of liturgical enactment, the city becomes unified in the manner of a collective higher soul (perhaps prefigured by the commonality of the souls in the *Phaedrus*).[44] In this soul of the city, the subordination to divine reason mediated through the patterns of the cosmos and the revolutions of its spheres becomes the superlative safeguard for the primacy of the sway of the good in human polity. As Plato described in the *Timaeus*, the cosmos, which the city here echoes, itself has a soul: the world-soul.[45]

With this realization of the true city as one formed through praise of the divine, and ritual song and dance, it seems that Plato has in effect gone beyond the city through recourse to the cosmos and divine reason. But while the city of the *Republic*, organized through the division of labor and the relay of the good through *phronesis*, despite its apparent practicabilities

39. Gadamer, "Plato and the Poets" in *Dialogue and Dialectic*, *op.cit.*; Pickstock, *After Writing*, *op. cit.*, Ch. 1, section 9
40. *Laws*, 714a-d, 715a-716a, 716-c-d; see Gunnell, *op. cit.*, p. 160, p. 181ff, p. 193
41. *Laws*, 528a-b
42. *Laws*, 664a
43. *Laws*, 653c
44. *Phaedrus*, 256b
45. Pickstock, *A Short Guide to Plato*, *op.cit.*, Ch. 4.

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and relatively earthly structures, was deemed to be merely a "city in speech," the theological city of the *Laws*, with its supra-cosmic paradigm, is seen as a city not in speech, but in deed.[46] The city of the *Laws* is commonly seen by commentators as a more realistic "blueprint," because it does not involve a guardian class of philosophers.[47] But actually, the impinging of the liturgical on all citizens means that it is as if all citizens are now guardians; all are now philosophers, for all contemplate the good. In this respect, as well as in the bizarre liturgical proposals, the supposedly "more possible" city of the *Laws* is actually more apparently crazy, more exotic and focussed on the divine than that of the *Republic*. What makes this city seem more possible is its utter devotion to the super-civic. Thus, for Plato, the city that goes beyond itself is the only actual city;[48] the ethic that goes beyond itself into the tragic is the only true ethic; and the philosophy that exceeds itself into the religious is the only true philosophy.

Everything in this vision is bound together by the doxological or the liturgical — this is the secret middle term which binds soul, city, cosmos and forms.[49] When the soul enters the city to find justice, it discovers that it can only be found within repeated ritual patterns; these are patterns which elevate the soul toward the vision of the forms. Finally, these same ordering, re-distributing patterns provide the true key to the laws of nature, which are not just to be read off from the cosmos by an objectifying gaze, as for the pre-Socratics. For the late Plato, laws can be derived from nature once it is realized that the cosmos is not an impersonal order,

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46. *Laws*, 968b.
47. On the question of "blueprint," see Planinc, *op.cit.*
48. See Strauss, *The Argument and the Action of Plato's* Laws, *op. cit.*, p. 121, on the city as not self-subsistent.
49. *Timaeus* 70d-71a; *Laws*, 846d.

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Between the Weimar Republic and the Third Reich: Continuity in Carl Schmitt's Thought

Gary Ulmen

The relation between Carl Schmitt's thinking during the Weimar Republic and the Third Reich has been a source of contention, at least since the early 1930s. On the one side ther are those who argue that the Nazi period marked a break in Schmitt's thinking,[1] i.e., a disgraceful hiatus in an otherwise honorable and scholarly career; on the other,[2] there are

1. Among them, George Schwab, *The Challenge of the Exception: An Introduction to the Political Ideas of Carl Schmitt between 1921 and 1936* (1970), 2nd ed. (Westport, CT: Greenwood Press, 1989); Joseph W. Bendersky, *Carl Schmitt: Theorist for the Reich* (Princeton: Princeton University Press, 1983); Helmut Quaritsch, *Positionen und Begriffe Carl Schmitts* (1989), 3rd ed. (Berlin: Duncker & Humblot, 1995); Ernst Wolfgang Böckenförde, "Der Begriff des Politischen als Schlüssel zum staatsrechtlichen Werk Carl Schmitts," in *Complexio Oppositorum: Über Carl Schmitt*, ed. by Helmut Quaritsch (Berlin: Duncker & Humblot, 1988), pp. 283-299.

2. The first and most extreme was Jürgen Fijalkowski, *Die Wendung zum Führerstaat: Ideolgische Komponenten in der politischen Philosophie Carl Schmitts* (Cologne/Opladen: Westdeutscher Verlag, 1958). Less extreme, but no less damning, are: Christian Graf von Krockow, *Die Entscheidung: Eine Untersuchung über Ernst Jünger, Carl Schmitt, Martin Heidegger* (1958), 2nd ed. (Frankfurt/New York: Campus Verlag, 1990); Kurt Sontheimer, *Antidemokratisches Denken in der Weimarer Republik. Die politischen Ideen des deutschen Nationalismus zwischen 1918 und 1933* (1978), 2nd ed. (Munich: Nymphenburger Verlagshandlung, 1962); Hasso Hofmann, *Legitimität gegen Legalität: Der Weg der politischen Philosophie Carl Schmitts* (1964), 2nd ed. (Berlin: Duncker & Humblot, 1992); Stefan Breuer, *Anatomie der Konservativen Revolution* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1993); and Ingeborg Maus, *Bügerliche Rechtstheorie und Faschismus: Zur sozialen Funktion und aktuellen Wirkung der Theorie Carl Schmitts* (1976), 2nd ed. (Munich: Fink Verlag, 1980). Cf. also David Dyzenhaus, *Legality and Legitimacy: Carl Schmitt, Hans Kelsen and Hermann Heller in Weimar* (Oxford: Clarendon Press, 1997), John P. McCormick, *Carl Schmitt's Critique of Liberalism: Against Politics as Technology* (New York: Cambridge University Press, 1997), and William Scheuermann, *The End of Law* (Lanham, Md.: Rowman & Littlefield, 1999).

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those who argue that there was no break, i.e., that Schmitt's whole intellectual development came to fruition in the Third Reich and that his thinking was tainted from the start. Neither of these positions is on the mark.

Schmitt's collaboration with the Nazi regime evidenced bad judgment and moral negligence, but did not constitute a break in his thinking. However, the continuity is not due to any affinity with Nazism.[3] On the contrary, Schmitt considered the Nazi movement to be a symptom of the crisis of the state (this is one of the two dominant themes in his thinking overall, the other being the positivistic transformation of law into mere legality). Schmitt's primary concerns were with the ramifications of the crisis of the state, which were critical in both the Weimar Republic and the Third Reich, and with the international ramifications of the end of the European system of states and the Eurocentric epoch of history, which were both mirrored and magnified in the League of Nations and what followed. Schmitt clearly favored the Weimar Republic over the Third Reich, but he approached both in the same way.

Most of Schmitt's colleagues, students, and admirers were shocked by his decision to join the Nazi Party. To make sense out of this development, they looked for clues in his previous writings, but they could not find any, and Schmitt was warning against a Nazi or Communist takeover of the Weimar Republic as late as 1932. Once he joined the Nazi Party, however, it was a different matter. Since then, any attempt to understand (which does not mean excuse) Schmitt's action is usually condemned out of hand as apologetics by those who persist in a kind of Schmittian demonology. Recently, new information has come to light that demonstrates the complexity of his actions and thinking.

Before considering the continuity of Schmitt's thinking, a few comments about his life and work prior to the Third Reich are in order. While a law professor at the University of Bonn in the 1920s, Schmitt, though a Catholic and a conservative, was neglected by rightist organizations, but was invited frequently to lecture at the Hochschule für Politik in Berlin,

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3. Schmitt did evidence an interest in fascism in the 1920s, as did many others on both the Left and the Right. See Frank Adler, "Reconsidering Fascism," in this issue of *Telos*. In a review of Erwin von Beckerath, *Wesen und Werden des fascistischen Staates* (1927), Schmitt observed that it was significant that both Bolshevik Russia and Fascist Italy were attempting to go beyond traditional 19th century constitutional clichés and to come to terms with the great changes that were taking place in economic and social structure. See Carl Schmitt, "Wesen und Werden des fascistischen Staates," in Schmitt, *Positionen und Begriffe im Kampf mit Weimar — Genf — Versailles 1923-1939* (Berlin: Duncker & Humblot, 1940), 2nd ed. (1988), p. 111.

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which had opened in 1920 to educate Germans in the political affairs of the Weimar Republic. In a letter to Moritz Julius Bonn in 1926, Schmitt wrote of his almost continual fear of how "the German Right and Left pursue their politics."[4] In the spring of 1928, he accepted the Hugo Preuss law chair at the Graduate School of Business Administration in Berlin.[5]

During 1929, Schmitt established a personal relation with General Kurt von Schleicher, the confidant of Reich President Paul von Hindenburg, and with Johannes Popitz, a member of the Prussian Finance Ministry. Schmitt and Schleicher shared similar political outlooks, in particular regarding the role of the state in combating the detrimental effects of the struggle between political parties; Schmitt and Popitz shared similar ideas on the problems of the Weimar Republic and on the necessity for a strong and orderly state.[6] During the winter of 1929-1930, Schleicher began to develop plans for the type of presidential government that would rule Germany until Hitler became Chancellor. Believing he could control the Nazis by forming a traditional conservative government that the Nazis would tolerate, but in which they could not participate, in 1932 Schleicher convinced Hindenburg to ask Franz von Papen to form such a government. Schmitt not only became a constitutional advisor to the Reich government, but an active participant in attempts to save the Weimar

4. Quoted in Bendersky, *op cit.*, p. 73. For biographical detailssee Bendersky's book, and Paul Noack, *Carl Schmitt: Eine Biographie* (Frankfurt/M: Ullstein Verlag, 1996).

5. Not only was Preuss the father of the Weimar Constitution, but he had supported Schmitt's interpretation of the Constitution, in particular Schmitt's distinction between a sovereign and a commisarial dictatorship. Cf. Carl Schmitt, *Die Diktatur: Von den Anfängen des modernen Souveränitätsgedankens zum proletarischen Klassenkampf* (1921), 4th ed. (Berlin: Duncker & Humblot, 1978). Insisting that laws cannot execute themselves, that only men can interpret and defend the law, in the crisis of the Weimar Republic Schmitt proposed that the Reich President become a "commisarial dictator" and, as such, the "guardian of the constitution."

6. All of this is confirmed in a new and revealing book by Lutz Berthold, and his conclusions are incontrovertible: "Carl Schmitt was no 'conservative revolutionary' and was not 'Papen's man.' The widespread opinion that Schmitt was one of the 'anti-democratic forerunners' . . . of the Third Reich is based on an error, namely of uncritically projecting Schmitt's shameful behavior after the seizure of power back to an interpretation of his writings before the seizure of power." "The historical facts speak otherwise, namely, that Schmitt, in association with the officers of the armed forces division, in particular with their leader, Lt. Col. Ott, until the last minute sought to hinder the much-invoked suicide of the Weimar Constitution." The evidence for this has been found in Schmitt's unpublished papers, the archives of the armed forces division of the Ministry of Defense, and in memoirs of Schmitt's contemporaries. See Lutz Berthold, *Carl Schmitt und der Staatsnotstandsplan am Ende der Weimarer Republik* (Berlin: Duncker & Humblot, 1999), pp. 13 and 77.

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Republic by declaring a state of emergency.[7]

When Hitler became Chancellor on January 30, 1933, Schmitt was crestfallen. While the Nazis celebrated their victory and held a torchlight parade, he went home and lay in bed sick.[8] But he continued to believe that Hindenburg, who still had the authority to dismiss Hitler, and the armed forces would be able to keep the Nazis in check.[9] This was wishful thinking. Increasingly, the situation resembled what Schmitt had foreseen in his book on legality and legitimacy, as the Nazis proceeded to make effective use of the "political premiums" of holding legal power. Whatever influence Schmitt had ended with Schleicher's resignation. Schleicher's plan had failed, but not because of his goals or of Schmitt's counsel.

Within a week after Hitler's Enabling Act of March 24, 1933, Schmitt wrote an article assessing its implications.[10] Even though he described the Enabling Act as revolutionary, and as the genesis of a new political order, which contradicted Nazi propaganda, he continued to believe that parts of the Weimar constitution were still valid. Given his association with Schleicher and his prior opposition to the Nazis, he saw few possibilities for exerting any influence. Deciding not to wait for reactions to publication of his article, Schmitt, along with Popitz, left for Weimar on March 26 to attend a conference dealing with the new structure of the state.[11]

On March 29, Schmitt went to Jena to visit Otto Koellreutter, who told Schmitt that he had joined the Nazi Party. On March 30, Schmitt arrived in Munich. He intended to visit friends for a few days before leaving for Rome, where he planned to attend Holy Week celebrations before begin-

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7. The Weimar Constitution did not speak of "emergency powers," but of "necessary measures," and even though the term used by those trying to save the Weimar Republic was "state of emergency," the meaning was consistent with Schmitt's "state of exception," since the partial or temporary suspension of ordinary and constitutional laws by the Reich President always presupposed a constitutional order, while a general "state of emergency" has no such referent: *necessitas non habet legem* (necessity has no law).

8. The next day he wrote: "Still have a cold. Telephoned the Hochschule and canceled my lecture. Gradually feeling better, but cannot work. Ridiculous situation. I read the newspapers; they anger me, make me furious, and so goes the day. In the evening, Horst Michael came over and told of details, gossip about Schleicher's fall, about Marcks and Ott. Marcks immediately resigned his post as press chief." See Noack, *op. cit.*, p. 161. After 1932, Michael played a role as courier between Schmitt and the armed forces. See Berthold, *Carl Schmitt und der Staatsnotstandsplan am Ende der Weimarer Republik*, *op. cit.*, pp. 38 ff.

9. Early in February, he told Hermens that Schleicher and the armed forces would do anything to end the Nazi adventure. See Ferdinand Hermens, *Zwischen Politik und Vernunft: Gesammelte Aufsätze aus drei Welten* (Berlin: Duncker & Humblot, 1969), pp. 158-159.

10. Carl Schmitt, "Das Gesetz zur Behebung der Not von Volk und Reich," in *Deutsche Juristen-Zeitung*, Vol. 38, No. 7 (April 1, 1933), pp. 455-458.

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ning to teach at the University of Cologne. On March 31, he received a telegram from Berlin, asking him to return to the capital immediately, since he had been selected, together with Popitz, to be a member of a committee studying the drafting of a law regulating relations between the Reich and the German states. Participation in this committee marked a turning-point in his life and reputation: it was his first act of collaboration with the Third Reich. In fact, it was Popitz who convinced him to do it, in the hope that they might have some positive influence. Schmitt always had believed that *auctoritas, non veritas facit legem* (authority, not truth decides the law), and he now recognized that the Nazi movement had become the dominant force in German politics.[12] Soon, he concluded that the regime would tolerate nothing less than total allegiance, and that he could have no effect if he did not join the Nazi Party. He did so on May 1, 1933.

In a series of articles in the summer and fall of 1933, Schmitt began to develop the broad outlines of a constitutional framework for the Third Reich, which he summarized in a pamphlet published at the end of the year.[13] Although he reasoned that individual clauses of the Weimar Constitution were still valid, he said that they were no more so than were other, earlier regulations, since none could contradict the new "legal" situation as the foundation of German "public law." Since the basis of the new "legal" order was unclear, he concluded that the Reichstag vote of March 5, 1933 had decided the "will of the people," and that the Enabling Act of March 24, 1933 was thus a "plebiscite" for Hitler — it was a "bridge" from the old to the new state. It was significant that this "German revolution" had been "legal,"[14] i.e., that it had been "formally correct according to the earlier constitution." Now, there was a new state of affairs, which Schmitt characterized in starkly metaphorical terms: "The living cannot be legitimated by the dead, and power does not need powerlessness to legitimate itself."[15]

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11. Schmitt observed that "to overstep legality does not mean chaos; it certainly may prove to be wrong, but it also is possible that legality may have lost its inner meaning." There are two accounts of this, one in Georg Löning "Frühjahreslang der Deutschen Vereiningung für Staatswissen-schaftliche Fortbildung," in *Deutsche Juristen-Zeitung*, Vol. 38 (May 15, 1933), pp. 667-677; and another in Carl Th. Brodführer, "Das Staatsnotrecht in modernen Verfassungsleben. Aus einem Vortrage, gehalten Ende März in Weimar von Prof. Carl Schmitt," in *Deutsche Richterzeitung*, Vol. 25 (Sept. 25, 1933), pp. 254-255.

12. On April 1, Schmitt wrote: "Boycott of Jews, tired and sad. Duschka [his wife] in Hamburg with the Eislers. Joy with little Anima [his daughter]. My article on the provisional constitution will appear with Liebmann in the *Deutsche Juristen-Zeitung*." See *ibid.*, p. 171.

13. See Carl Schmitt, *Staat, Bewegung, Volk: Die Dreigliederung der politischen Einheit* (Hamburg: Hanseatische Verlagsanstalt, (Hamburg: Hanseatische Verlagsanstalt, 1935).

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Basing himself on his earlier constitutional studies, Schmitt analyzed the new structure of the state following Hitler's assumption of power. His understanding of the new predicament turned out to be far different from the official Nazi view. As he had argued earlier,[16] the political was no longer determined by the state; rather, the state was determined by the political. Not only had the state ceased to constitute the center of the commonwealth as it did in the 19th century, but the more legality had become formalized and mechanized, the more it had become antithetical to the content of the law. The law had been instrumentalized, and legality had become the functional mode of the state apparatus.[17] Anyone familiar with Schmitt's writings during the Weimar Republic would have recognized this argument immediately. What had happened was that the dual structure of the state promoted by 19th century liberalism, based on the antithesis of the state and the individual, state power and individual freedom, state and society, had been replaced by a tripartite structure. Political unity and public life were now organized into three distinct orders: the state, which constituted the "political-static" part; the movement (the Nazi Party), which constituted the "political-dynamic" part; and the people, which constituted the "unpolitical" part.

In discussing the new state structure, Schmitt compared the Nazi, the fascist and the Bolshevik states. He contrasted the tripartite structure of all three with Hegel's theory of the German state. Even though Hegel had spoken of "corporations" as constituting the transition from civil society to the state, the sovereign state had remained a realm of objective reason. Schmitt said that it was precisely this theory of the German state that had been corrupted by legal positivism. Yet, he was careful to point out that the liberal-democratic Weimar Constitution had not destroyed this tradition com-

14. *Ibid.*, p. 8. Schmitt left no doubt as to his meaning: "In 1932, I maintained that the power of the Weimar coalition government was based not on its legality, but, rather, on the political advantages of the political premiums of holding legal power," because the constitution had become nothing more than a functional, neutral tool, and the political unity of the people had become based on "daily compromises." In general, the constitution "was capable only of distinguishing between legality and illegality, but not between right and wrong or friend and enemy." *Ibid.*, p. 26.

15. Schmitt had employed a similar metaphor long before, in an article about the Roman Catholic Church, where he wrote: "Organic life did not develop from the inorganic. Life did not develop from death. Life is not a mushroom growing out of death. Death is a lack of life." See Carl Schmitt, "The Visibility of the Church: A Scholastic Consideration," Appendix to Carl Schmitt, *Roman Catholicism and Political Form*, tr. and annotated by G. L. Ulmen (Westport, Conn. and London: Greenwood Press, 1996), p. 56.

16. Schmitt, *The Concept of the Political*, *op.cit.*, pp. 19ff.

17. Schmitt, *Staat, Bewegung, Volk*, *op cit.*, p. 15.

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pletely. However, on January 30, 1933, the Hegelian bureaucratic state of the 19th century had been replaced by another state structure: "On this day, one can say that 'Hegel died'."[18] This statement reflected just how shattering Schmitt considered the Nazi revolution to have been. Nevertheless, he was determined to rescue something of this tradition. He insisted that what was significant in Hegel's construction of the state was no less significant in the Third Reich, since every political unity requires "a consistent, inner logic of its institutions and norms. It requires a unified idea of form, which constitutes all areas of public life. Also in this sense, there is no normal state that is not total."[19] Schmitt was alluding to the distinction between a *qualitative* and a *quantitative* total state that he had made in an address to key German industrialists on November 23, 1932. This conference of the Langnam-Verein in Düsseldorf had been organized as a show of support for Papen's policies as Chancellor, even though he had resigned on November 17.[20]

Renato Cristi emphasizes Schmitt's address to the German industrialists as a key to understanding his thinking both during the Weimar Republic and the Third Reich, although he comes to conclusions[21] that contradict his arguments. Cristi is right in observing that Schmitt believed in a strong state, but Cristi fails to mention that Schmitt's thinking during the Weimar Republic and the Third Reich was circumscribed by the crisis of the state that he had addressed in *The Concept of the Political*. The sovereign state, with its monopoly of political power, was the centerpiece of domestic order internally, and of the Eurocentric order externally. But, wrote Schmitt: "The equation state=politics becomes erroneous and deceptive at exactly the moment when state and society penetrate each other. What had been up to that point affairs of state become thereby social matters, and, vice versa, what had been purely social matters become affairs of state — as must necessarily occur in a democratically organized unit."[22] Schmitt's distinction between a qualitative and a quantitative total state must be understood in the context of

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18. *Ibid.*, pp. 31-32.
19. *Ibid.*, p. 33.
20. The Langnam-Verein was an association of Ruhr industrialists, the Verein zur Wahrung der gemeinsamen wirtschaftlichen Interessen in Rheinland und Westfalen, which became known by the abbreviated "Long Name Association": Langnam-Verein. See Carl Schmitt, "Gesunde Wirtschaft im starken Staat, in *Mitteilungen des Vereins zur Wahrung der gemeinsamen wirtschaftlichen Interressen in Rheinland u. Westfalen*, No. 1, pp. 13-32; and "Starker Staat und gesunde Wirtschaft: Ein Vortrag vor Wirtschaftsführern," in *Volk und Reich*, Vol. 2 (1933), pp. 81-94.They seemed to be in favor of Hindenburg appointing Hitler as Chancellor. As Berthold observes, they seemed more afraid of Schleicher than of Hitler.

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this crisis.[23] He characterizes a state that can no longer distinguish between the state and the non-state sphere as "*total in a purely quantitative sense.*" This state, which is "total" only in volume, is "total" owing to its weakness and its inability to resist the onslaughts of political parties and vested interests. By contrast, a state able to resist such onslaughts is "*total . . . in the sense of intensity or political energy*," i.e., it is "total" because of its strength and its ability to distinguish between the political and the non-political.[24] Only a qualitatively strong state could distinguish "between state administration, autonomous economic administration, and the individual domain of freedom."[25]

Another aspect of Schmitt's argument is essential here: his observation that, on closer scrutiny, the Weimar situation was not characterized by "a total state, but a *plurality of total parties*. Each party realizes itself in totality, absorbing its members, guiding individuals from cradle to grave, from kindergarten to burial, situating itself in the most diverse social groups and passing on to its members the correct views, the correct ideology, the correct form of state, the correct economic system, and the correct sociability on account of the party. Old liberal parties, which are not capable of such organization, are in danger of being pulverized by the millstones of the modern total parties."[26] The Nazi Party was a case in point.

21. See Renato Cristi, *Carl Schmitt and Authoritarian Liberalism: Strong State, Free Economy* (Cardiff: University of Wales Press, 1998), which includes a translation of Schmitt's Langnam-Verein address, "Strong State and Sound Economy: An Address to Business Leaders," pp. 212-232. Although Cristi labels those who argue that Schmitt's Nazi career was the result of a flawed moral character as "apologists," and although he contends that Schmitt's address to the Langnam-Verein was a "bridge" to his Nazi career and that he embraced Nazi racist policies, most of the discussion of Schmitt's thinking during the Weimar Republic and even beyond agrees with the arguments of these "apologists." According to Cristi: "The argument expounded in this book seeks to define the scope and assumptions of Schmitt's theory of the state and the constitution and the pivotal task it addressed — securing the state's autonomy and independence. Only this would shore up and strengthen the power and authority of the state. A strong state, however, did not imply canceling civil society's own independence. If totalitarianism means that the state ultimately assimilates and metabolizes civil society, at no point of his intellectual development did Schmitt espouse such a totalitarian view. On the contrary, he thought that an autonomous state would prove its strength by affirming the freedom and autonomy of civil society. This is the keystone of Schmitt's theory of the state and the constitution. At one point during the Weimar Republic, Schmitt publicly stated his dual affirmation of a strong state and a free economy, which neatly encapsulates the aim and scope that defined his theory of the state and the constitution." (*Ibid.*, p. 5) If this is true, it only documents the absurdity of Cristi's conclusion.

22. Schmitt, *The Concept of the Political*, *op. cit.*, p. 22.

23. Schmitt, *Legalität und Legitimität*, *op. cit.*, p. 96.

24. Schmitt, "Strong State and Sound Economy," in Cristi, *op. cit.*, p. 218.

25. *Ibid.*, p. 232.

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Seeking to control the Nazi Party early in 1933, Schmitt argued, as he had late in 1932, for a strong, i.e., a *qualitative*, total state. But it soon became clear that the remnant state was weak *vis-à-vis* the Nazi Party, and that the Nazi Party was rapidly becoming a *quantitative* total state in that it could not or would not distinguish any non-state sphere outside its control.

Not only was Schmitt's view of the relation among the state, the party, and the people at odds with Nazi ideology, so, too, was his concept of political leadership in the new state structure. He pointed out that the Führer, as the ultimate political authority, must accept responsibility for all his actions. But he went further. In *The Concept of the Political*, Schmitt had argued that liberalism destroys democracy and democracy destroys liberalism. Since the Nazi state had destroyed liberalism, Schmitt now formulated his understanding of the relation between Hitler and the people in terms of Rousseau's concept of democracy, i.e., in terms of the identity between the ruler and the ruled.[27] "On this basis, it [i.e., political leadership] includes, as a positive demand, an absolute identification between the Führer and the people. On the basis of this identification, and as its reciprocal guarantee, there also must be continuous and unmistakable contact between the Führer and the people. Only this identification can hinder the power of the Führer from becoming tyrannical and arbitrary."[28] Obviously, this was a bold claim, and it demonstrates the extent to which Schmitt still was trying to contain the Nazi regime within the parameters of a constitutional system.

Addressing specifically the structure of the state and its collapse during the Second Reich, on January 24, 1934, Schmitt described how the "soldier state" had succumbed to the onslaughts of liberal constitutionalism, and how the citizen had won over the soldier in 1918.[29] Admittedly, he overstated his case: the Prussian state was more of a civil-service state than a "soldier state,"[30] but his intention was to provide a frame of reference and a sense of historical continuity for a new situation. In particular, Schmitt was alluding to the position of the armed forces *vis-à-vis* Ernst Roehm's political army, i.e. the SA brown shirts. He supported strength-

26. *Ibid.*, p. 219.

27. Carl Schmitt, "Preface to the Second Edition (1926): On the Contradiction between Parliamentarism and Democracy," in Carl Schmitt, *The Crisis of Parliamentary Democracy*, tr. by Ellen Kennedy (Cambridge, MA: MIT Press, 1985), pp. 8-16.

28. Schmitt, *Staat, Bewegung, Volk*, *op cit.*, p. 42.

29. Carl Schmitt, *Staatsgefüge und Zusammenbruch des Zweiten Reiches: Der Sieg des Bürgers über den Soldaten* (Hamburg: Hanseatische Verlagsanstalt, 1934).

30. Cf. Schwab, *op. cit.*, p. 128.

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ening the position of the armed forces, which he hoped to preserve as a bulwark of the state. Roehm was demanding that the armed forces be incorporated into the SA. As it turned out, what Hitler used to crush the SA on June 30, the "Night of the Long Knives," was not the armed forces, but Heinrich Himmler's SS. On July 13, Hitler claimed that, given the emergency posed by Roehm's SA, he had become the supreme judicial authority. However, he admitted that acts of violence and murder had been committed outside the frame of the emergency, and he promised that the individuals responsible would be punished by the courts. Schmitt followed with an article in which he sided with Hitler against the SA, but he warned that precautions must be taken to prevent such excesses.[31] Not incidentally, among those excesses was the murder of Schleicher and his wife. Hitler claimed that Roehm had Schleicher's blessing for his revolt, but Schmitt knew this to be a lie.

Schmitt's stress on the state, rather than on the people, was unacceptable to the Nazis; his thinking appeared to them anti-people, i.e., to neglect the biological foundations of politics. The first attack against Schmitt was launched by none other than Koellreuter, who had become one of the leading advocates of a racially-based political theory. In a letter to the editors of *Junge Front* in February 1934, Koellreuter accused "Schmitt and his school" of trying to force National Socialism into a neo-Hegelian framework.[32] As the attacks continued and became more vehement, Schmitt made greater attempts to placate the Nazis. However, by the summer of 1936, the Security Service of the SS began to investigate him. Not only was his mail inspected, but spies reported on his lectures, and many of those who had contact with him were interrogated. When it became obvious that the SS intended to remove Schmitt from the Nazi Party, Popitz told Schmitt that he would not be able to defend himself, and advised him to resign from the League of German Jurists. Uppermost in the SS campaign against Schmitt was the charge that he was not a true Nazi and that he was not anti-Semitic; he was specifically attacked for his associations and friendships with Jews, and for his reliance on "Jewish scholarship." By the end of 1936, Schmitt was removed from Nazi legal organizations.

Any discussion of Schmitt and the Third Reich immediately raises the issue of anti-Semitism. Yet, there was no trace of anti-Semitism in any of Schmitt's writings or personal relations prior to 1933; on the contrary, not

31. See Carl Schmitt, "Der Führer schütz das Recht: Zur Reichstagsrede Adolf Hitlers vom 13. Juli 1934," in Schmitt, *Positionen und Begriffe*, *op cit.*, pp. 199-203.

32. See Bendersky, *op cit.*, p. 222.

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only were some of his brightest students and admirers Jews, but he dedicated his major treatise on constitutional law to the memory of his friend, Dr. Fritz Eisler, who fell on September 27, 1914, and he had high praise for Hugo Preuss,[33] both of whom were Jews. Nevertheless, as Bendersky observes, faced "with the realities of Nazi power, he attempted to make his ideas compatible with National Socialism, and at each subsequent phase in his Nazi career he made more and more concessions."[34] But he "never succumbed to a belief in the biological racism of National Socialist ideology. He had always considered such ideas absurd. . . . [H]e never became an ideological convert to Nazism."[35]

Even though the basic details of Schmitt's transition from "crown jurist" of the Weimar presidential system to the reputed "crown jurist" of the Third Reich have long been known, these facts are still disputed. Thus, on the basis of admittedly circumstantial and indirect evidence, Raphael Gross attempts to establish an anti-Jewish continuity between the pre- and post-1933 Schmitt,[36] but he is unable to explain why Schmitt had so many Jewish friends and admirers before 1933, and why there are no anti-Semitic references in his works before the Nazi period. Similarly, Bernd Rüthers' little book is light on facts and heavy on unsubstantiated speculations and outright falsehoods.[37] He begins with an absurd proposition: "The Coalition of Great Spirits of the Age 1933: Martin Heidegger and Carl Schmitt." Since Andreas Koenen also makes this connection, it is necessary to clarify the reputed relation between Schmitt and Heidegger.

Before Hitler's assumption of power, there was no contact between them. After both had joined the Nazi Party, Schmitt initiated contact by sending Heidegger a copy of *The Concept of the Political*. Heidegger responded with a friendly letter, saying that he was familiar with

33. See Carl Schmitt, *Verfassungslehre* (1928), 5th ed. (Berlin: Duncker & Humblot, 1970), p. V; and the speech Schmitt delivered at the Handels-Hochschule Berlin on January 18, 1930, published under the title *Hugo Preuss: Sein Staatsbegriff und seine Stellung in der Deutschen Staatslehre* (Tübingen: J.C.B. Mohr (Paul Siebeck), 1930).

34. Bendersky, *op cit.*, p. 207.

35. *Ibid.* p. 208. Among other things, Bendersky demonstrates conclusively that Schmitt was never a member of the Conservative Revolution, "did not advocate war or the Nazi conquest of Europe," and "did not provide the theoretical foundations for Nazi foreign policy." *Ibid.*, pp. 256 and 259. Cf. also Joseph W. Bendersky, "Carl Schmitt and Nuremberg," in *Telos* 72 (Summer 1987), pp. 91-96.

36. See Raphael Gross, "Carl Schmitt's 'Nomos' und die Juden," in *Merkur*, Vol. 5 (May 1993), pp. 410-420. See also Raphael Gross, *Carl Schmitt und die Juden: Eine deutsche Rechtslehre* (Frankfurt a/M: Suhrkamp Verlag, 2000).

37. Bernd Rüthers, *Carl Schmitt im Dritten Reich: Wissenschaft als Zeit-Verstärkung?* (Munich: C.H. Beck Verlag, 1989).

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Schmitt's book, that he found it extraordinarily significant, and that he looked forward to discussing it with him face to face. He added: "I am hoping to get your decisive cooperation when it comes to reconstituting the Law Faculty as a whole from within . . . The gathering of the spiritual forces, which should bring about what is to come, is becoming more urgent." Not incidentally, Heidegger ended his letter with "Heil Hitler."[38]

On the basis of this one letter, which Schmitt appears not to have answered, Rüthers fabricates a "Political Partnership Between Heidegger and Schmitt," even though, thereafter, they had no more contact until 1944, when they did meet face to face.[39] But that was all. Thus, the reputed relation between Schmitt and Heidegger is a ruse, i.e., an attempt to tar Schmitt with Heidegger's brush. Whatever one makes of Heidegger's involvement with Nazism,[40] it has nothing to do with Schmitt. Rüthers then throws Schmitt into the hopper with all the other Nazi jurists, and simply invents "facts" to fit his fancy. In attempting to explain Schmitt's way to National Socialism during the Weimar Republic, he says that Schmitt was "anti-parliamentarian, anti-democratic, and anti-liberal." To be sure, Schmitt was a critic of parliamentarianism, democracy, and liberalism, and he argued against them, but that did not make him a mortal "foe" of any or all of them, which is precisely what Rüthers implies.[41] As Leo Strauss points out, Schmitt's "critique of liberalism takes place within the horizon of liberalism; his anti-liberal tendencies are arrested by the as yet undefeated 'systematics of liberal

38. See "Heidegger and Schmitt: The Bottom Line," including an English translation and the German original, in *Telos* 72 (Summer 1987), p. 132.

39. As Schmitt described it to me, Heidegger, out of the blue, telephoned and asked if he could see him. Schmitt agreed, and suggested that Heidegger come to his office at the university in Berlin, and that they would go to a local restaurant for lunch. Heidegger arrived with his wife, and the three of them had lunch, during which they chatted, not about either Schmitt's or Heidegger's ideas, but mostly about the war. After lunch, Heidegger's wife said "It's time to leave," and they left. Jokingly, Schmitt added: "Now, that is *potestas indirecta*." Aside from being amused by the "indirect power" of Heidegger's wife, Schmitt said that he was left wondering what was the purpose of the meeting.

40. See, e.g., Victor Farias, *Heidegger and Nazism* (Philadelphia: Temple University Press, 1989); see also *The Heidegger Case: On Philosophy and Politics*, ed. by Tom Rockmore and Joseph Margolis (Philadelphia: Temple University Press, 1992). More reliable and responsible are Hugo Ott, *Martin Heidegger: Unterwegs zu seiner Biographie* (Frankfurt/New York: Campus Verlag, 1992) and Rudiger Safranski, *Martin Heidegger: Beyond Good and Evil* (Cambridge: Harvard University Press, 1998).

41. Here, the distinction between "enemy" and "foe" is crucial. See G. L. Ulmen, "Return of the Foe," and George Schwab, "Enemy or Foe: A conflict of Modern Politics," in *Telos* 72 (Spring 1987), pp. 187-193 and 194-204, respectively.

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thinking.' The critique of liberalism that Schmitt has initiated can therefore be completed only when we succeed in gaining a horizon beyond liberalism."[42] Even more distorted is Rüthers' claim that Schmitt's "fight" against the Jews is evident in "his *völkish* concept of *Großraum*" [literally, great space], when it was none other than the Nazi press that attacked Schmitt's concept of *Großraum* for not being biological, but juridical.[43]

Unlike Rüthers' slight volume, Koenen's almost 1,000-page *opus* is filled with facts, although no less distorted by fictions. He not only claims that Schmitt was a conservative revolutionary, but that Schmitt found the political decision he was looking for in the "spiritual prospect of the 1933 change in Germany," and that he "attempted to link conservative-revolutionary and National-Socialist ideology."[44] In an effort to refute that Schmitt was an "intellectual adventurer" or a "careerist," Koenen argues that Schmitt's thinking during the Third Reich is the key to all of his work, and that he betrays his "Reichs-theological 'Achilles heel'." Koenen focuses primarily on the years 1933-1936, when Schmitt was collaborating with the Nazi regime. More to the point, both Rüthers and Koenen ignore the fact that the Nazis were always suspicious of Schmitt, and that it was not long before he came under attack. The secret investigations of Schmitt continued into 1937. Although he was forbidden from working in Nazi organizations, he was allowed to retain his law chair at the University of Berlin and even his title as Prussian State Councillor, although the Prussian Council never assembled after 1936. Thereafter, Schmitt entered into a state of "inner emigration," avoiding political questions and pursuing supposedly esoteric areas of scholarship.

In 1938, Schmitt delivered two lectures on Thomas Hobbes, which he subsequently reworked into a book.[45] He drew parallels between his own predicament and Hobbes' experiences "in the terrible times of civil war," when "all legitimate and normative illusions with which men like to deceive themselves regarding political realities in periods of untroubled security vanish."[46] This book[47] has been interpreted variously as a critique

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42. Leo Strauss, "Comments on Carl Schmitt's *Der Begriff des Politischen*" (1929), appendix to Schmitt, *The Concept of the Political*, *op cit.*, pp. 104-105.

43. Cf. Bendersky, *op cit.*, pp. 258ff.

44. Andreas Koenen, *Der Fall Carl Schmitt: Sein Aufstieg zum "Kronjuristen des Dritten Reiches"* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995), pp. 829-831.

45. See Carl Schmitt, *The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol*, tr. by George Schwab and Erna Hilfstein (Westport, CT: Greenwood Press, 1996).

46. *Ibid.*, p. 72.

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of the totalitarian system, a "totalitarian critique of Hobbes," and as the work of a "traditional bourgeois liberal" opting for a strong state in order to protect life and property.[48] More on to the mark is that "Schmitt was undoubtedly closer to an authoritarian form of bourgeois liberalism than to Hitlerian Nazism. The Schmitt whose writings were published in 1938 is more Weimar individualist than Nazi communitarian, more praising of Hobbes as a father of a strong liberal state than as one who formulated a justification for the emergence of the Hitlerian one-party state."[49] Schmitt's understanding of Hobbes' theory of the state in 1938 was consistent with his concept of the *qualitative* "total" state that he described in 1932. Like Hobbes', Schmitt's state was predicated on the mutual relation of protection and obedience. Once he realized that this was not the case in Hitler's Germany, the Nazi Party-cum-state could not command his loyalty.

Whatever one makes of Schmitt's Nazi venture, and there is no doubt that he made terrible compromises, he did not lose his mind during the Third Reich. During the Weimar Republic and during the years of his collaboration with the Nazi regime, he concentrated on constitutional law. But even during the Weimar Republic, he had occasion to address questions of international law with respect to the situation of Germany after the Versailles Treaty and in relation to the League of Nations. After 1936, and for most of the Third Reich, he concentrated primarily on international law in his treatise on *Grossraum* and in his book *Der Nomos der Erde*. And there is continuity even here, since Schmitt always understood an inherent relation between internal and external, i.e. constitutional and international law. There is no break here, but rather a consistent approach to changing legal and political questions.

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47. Helmut Rumpf, *Carl Schmitt und Thomas Hobbes: Ideelle Beziehungen und aktuelle Bedeutung, mit einer Abhandlung über: Die Frühschriften Carl Schmitts* (Berlin: Duncker & Humblot, 1983).

48. See Helmut Schelsky, *Politik und Publizität* (Stuttgart: Degerloch, 1983), p. 30.

49. See Schwab's introduction to Schmitt, *The Leviathan in the State Theory of Thomas Hobbes*, *op cit.*, pp. xx1-xxii.

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Sovereign and Plebs: Michel Foucault Meets Carl Schmitt

Mika Ojakangas

Despite the fact that the point of departure of Michel Foucault's analysis of power was the radical exclusion of sovereignty,[1] in some respects it resembles that of Carl Schmitt. The intellectual kinship of these two thinkers, however, is not limited to the question of modernity — the form of politics that replaces the sovereign with an impersonal machine (Panopticon and the uniform system of norms) or modern metaphysics that replaces transcendence (God and Law) and swears by immanence (People and Norm). Appearances to the contrary notwithstanding, what connects the thinker most hostile to sovereignty (Foucault) and the one who always insisted on the necessity of sovereignty (Schmitt) is also their metaphysics of "founding rupture" (sovereign and plebs).

Foucault demands that sovereignty be excluded from political philosophy because he thinks that today power no longer rests on sovereignty or on the law, which took the place of the sovereign. Like Schmitt, he assumed that the present one is "a phase of juridical regression"[2] and that now power rests in the normalizing disciplinary operations responding to the immediate needs of life. With its "continuous regulatory and corrective mechanisms," disciplinary power is not based on the right to appropriate or seize things, which culminates in the right to control life itself, but it invests life,

1. According to Foucault, what is needed "is a political philosophy that isn't erected around the problem of sovereignty, nor therefore around the problems of law and prohibition." See Michel Foucault, "Truth and power," in *Power/Knowledge* (New York: Pantheon Books, 1980), p. 121.

2. Michel Foucault, *The History of Sexuality* (New York: Vintage Books, 1990), p. 144.

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creating new possibilities. Disciplinary power is above all productive.[3]

On the basis of this power, there is neither sovereignty nor law, but what Foucault calls the *norm*, which is not, properly speaking, juridical law. It is derived from the context within which it is applied. While the traditional foundation of sovereign decision — God, nature, or pure command, which expresses the will of God or nature — lays beyond the field of its application, the norm emanates from within this field. Unlike the law, the norm does not have anything outside of itself. So there is nothing to trasgress. Unlike with the law, in the case of the norm transgression is not a momentary disruption, but its extension — a specification of the governed field through the *exception*. For this reason, nobody is an outlaw, abandoned or excommunicated in the normalizing society based on the power of the norm. Everyone is subject to this power, which does not have a "subjective" form, i.e., the form of the sovereign. Instead of the sovereign, the paradigm of the modern form of power is Bentham's Panopticon, i.e., an anonymous machine of normalizing power.[4] In this power structure typical of the era of immanence, Foucault sees the culmination of the modern non-sovereign (the normalizing disciplinary power with no outside) precisely in democratic control, since the operator of this machine can be "anyone," "any member of society," "any individual taken almost at random").[5] Instead of the sovereign, the Panopticon emphasizes the visibility of the subject *qua subiectus*, who is no longer subjected to the sovereign, but to anyone.

Did Schmitt also criticize discipline? On the contrary: his attitude toward discipline was clearly positive. Like Foucault, however, Schmitt emphasized the *anonymous machine-like nature of power*. The emergence of this power — the "self-propelling machine" of the stateless society[6] —

3. *Ibid.* pp., 177-211 and 135-159.

4. Foucault describes the Panopticon as follows: "At the periphery, an annular building; at the center, a tower; this tower is pierced with wide windows that open onto the inner side of the ring; the peripheral building is divided into cells, each of which extends the whole width of the building; they have two windows, one on the inside, corresponding to the windows of the tower; the other, on the outside, allows the light to cross the cell from one end to the other. All that is needed, then, is to place a supervisor in a central tower and to shut up in each cell a madman, a patient, a condemned man, a worker or a schoolboy." See Michel Foucault, *Discipline and Punish* (London: Penguin Books, 1979), p. 200.

5. "Anyone may come and exercise in the central tower the functions of surveillance"; "any member of society will have the right to come and see with his own eyes how [the Panopticon] functions", "any individual taken almost at random can operate the machine." *Ibid.*, pp. 236, 202-241 and 207.

6. See Carl Schmitt, *Roman Catholicism and Political Form* (Westport, CT: Greenwood Press, 1996), p. 27.

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is a consequence of the general tendency in modernity to *reject the political*.[7] This tendency to destroy all visible power (*kratos*) and Engels' solid formula ("things will govern themselves") appears everywhere. It obtains in parliamentarism,[8] in which decision-making is substituted with "eternal discussion"; and in liberal economic thinking, for which every government or political authority is a necessary evil replaceable by the freedom of production and consumption in the free market. It also appears in socialist theory, which, for Schmitt, is not the opposite of capitalist economic thinking, but its complement.[9]

This rejection of the political is also evident in the international arena, where the precondition for the political, i.e., the plurality of political units, is replaced by a worldwide "universal-society." This "Babylonian unity" (*universum*) is not populated by a plurality of political peoples (*pluriversum*), but by a unanimous and depoliticized humanity at the service of imperialistic economic policy. The same tendency is also evident as a result of generalized scientific thinking, which has forced human existence into "rationalistic schemes" — especially in technology, which for Schmitt is the true spring of the worldwide utopian belief in eternal progress. On the basis of this utopian (or, better, nihilistic) worldview, which corresponds to a modern world without *topoi*, Schmitt perceived a modern metaphysics in which all dualisms underlaying moral or political decision-making are replaced with a monistic metaphysics, and in which transcendence has given way to immanence. This does not mean the disappearance of transcendence but, rather, the elevation of immanence to the level of transcendence. It amounts to the *absolutization* of immanence.

According to Schmitt, a conspicuous example of this absolutization of immanence (the "self-propelling panoptic machine") in jurisprudence is German constitutional positivism — especially the work of its "most logical" representative, Hans Kelsen,[10] who sought to create *a pure* science of law: a legal order as a system of positive norms predicated on a

7. According to Schmitt: "today nothing is more modern than the onslaught against the political"; "Political problems are replaced with organizational-technical and economic-social tasks." See Carl Schmitt, *Political Theology* (Cambridge: MIT Press, 1985), p. 65.

8. Carl Schmitt, *The Crisis of Parliamentary Democracy* (Cambridge: MIT Press, 1994).

9. "The materiality of economic-thinking capitalists is very close to that of radical communism. Neither persons nor things require a 'government' if the economic-technical mechanism is allowed its own immanent regularity." See Schmitt, *Roman Catholicism and Political Form*, *op. cit.*, pp. 35-36.

10. Hans Kelsen, *Problem der Souveränität und die Theorie des Volkerrecht.* (Tübingen: J.C.B. Mohr, 1920), p. 330.

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basic norm. Here, the question of sovereignty is "radically repressed," as in the case of the Panopticon, which dispenses with "the need for the prince."[11] All personification is excluded, since it leads to useless anthropomorphism. For this reason, there are no persons (real or fictitious) in Kelsen's system. There are only "points of ascriptions," in which the state is not the sovereign but the "terminal point." As with pantheism, which identified God with the world and paved the way for knowledge of nature, knowledge that the "state is the legal order" is "identical with its constitution" makes possible the true science of law.[12] Unless one understands this, the legal order cannot be pure, without gaps and *uniform*. Like the Panopticon it could not prevent those "sudden, violent, discontinuous forms bound up with the exercise of sovereignty."[13] Thus, at the juridical and political level, Kelsen's state as the anonymous norm of the legal order is reduced to its anonymous validity and comes to resemble Bentham's Panopticon. According to Schmitt, it becomes a system in which in place of the sovereign there is nothing but the terminal "point of ascription" — a *watchtower*, which can be used by anyone.

Resurrection of the Sovereign

Of course, despite these similarities, there are also differences. Thus, Foucault's and Schmitt's answers to the problem of modern anonymous power are almost the exact opposite. Foucault takes it for granted that the fate of modern society is anonymity, where the death of the decision-maker corresponds to the death of the author.[14] Power can no longer be analyzed emanating from individuals, since what appears to be personal is the *result* of impersonal technologies of power. This is why Foucault focused on the problem of the Panopticon in order to reveal *how* power operates.[15] The question concerning *who* operates the Panopticon did not deserve more attention than he gave to it. For Foucault, it was enough to identify the technological form, since modern power functions very well without any operators. From Schmitt's viewpoint, however, the operator is extremely

11. Foucault, *Discipline and Punish, op. cit.*, pp. 208.
12. Hans Kelsen, *Reine Rechtslehre* (Vienna: Franz Deuticke, 1960), pp. 319-20.
13. Foucault, *Discipline and Punish, op. cit.*, p. 208.
14. On the simultaneous death of God and a decision-maker or rather of God, man and author, see Michel Foucault, "Qu'est-ce qu'un auteur," (1969) in *Dits et Écrits III.* (Paris: Gallimard, 1994), pp. 790-809.
15. See Michel Foucault, "The Subject and Power," afterword in Hubert L. Dreyfus & Paul Rabinow: *Michel Foucault. Beyond Structuralism and Hermeneutics* (Chicago: The University of Chicago Press, 1982), pp. 216-217.

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important: "What matters for the reality of legal life is who decides."[16] This does not imply the displacement of the question of *who* with the question of *how*, but, on the contrary, it presupposes careful analysis and radical conclusions. It points toward the analysis of the political form, even though this oxymoronic figure does not seem to have any representative function: the (sovereign) whoever. While Foucault identified this extreme situation with panoptic modernity, Schmitt blamed the administrative state (*Verwaltungsstaat*)[17] or the liberal total state.[18] For Schmitt, it is always a matter of who decides in the last analysis, in "real legal life"; it is the sovereign who brings back the political. Schmitt, however, does not see sovereignty in the traditional way, as defined by Bodin and reiterated in the history of juridical concepts: "Sovereignty is a republic's absolute and perpetual power."[19] Even the well-known formula according to which sovereignty is the highest,

16. Schmitt, *Political Theology*, *op. cit.*, p. 34. After WWII, when personal decision-makeng had decided even more, Schmitt still believed that the most significant questions had to be posed in terms of a person: "Who is the great appropriator, the great divider and distributor of our planet, the manager and planner of unified world production?" See Carl Schmitt, "Appropriation/Distribution/Production," in *Telos* 95 (Spring 1993), p. 64.

17. The administrative state is one which abandons laws and principles, and governs with the help of *measures* based on a purely technical motive. See Carl Schmitt, "Legalität und Legitimität," in *Verfassungsrechtliche Aufsätze aus den Jahren 1924-1954. Materialien zu einer Verfassungslehre* (1932) (Berlin: Duncker & Humblot, 1958), p. 266-268.

18. For Schmitt, in the total state everything is at least potentially political. No sphere "should be considered as absolutely neutral in that the state cannot intervene in it." See Carl Schmitt, *Der Hüter der Verfassung* (Tübigen: J.C.B. Mohr, 1931), p. 79; and "Weiterentwicklung des totalen Staats in Deutchland" (1933), in *Verfassungsrechliche Aufsätze aus den Jahren 1924-1954*, *op. cit.*, p. 361. It is total because of its *weakness*. Trying to respond to all social demands, it is forced to penetrate not only economics, but every domain. There is also the *qualitative* total state, which is total because of its force. It does not try to answer all social demands. Rather, it rises above society by means of a new monopoly of politics. This makes it possible to distinguish between friend and enemy, and political from non-political issues. This kind of depoliticization, however, does not signify state weakness because "only a strong state can remove itself from private affairs." This is not a forfeiture of politics, since depoliticization is a particularly intense political act. If the quantitative total state cannot regard any domain free from state intervention, it is only because it can no longer "discriminate." Since discrimination — *judgment* — is a political faculty *par excellence*, then, despite its totality, the quantitative total state is not a state at all. See Schmitt, "Weiterentwicklung des totalen Staats," *op. cit.*, p. 360-361. Originally, Schmitt saw Mussolini's Italy as a qualitative total state.: "The fascist state will again be a state of ancient probity, with visible leaders and representatives, and not the façade and antechamber of invisible and non-responsible rulers and financiers." Carl Schmitt, "Wesen und Werden des faschistischen Staates" (1929) in *Positionen und Begriffe im Kampf mit Weimar — Genf — Versailles 1923-1939* (Berlin: Duncker & Humblot, 1985), p. 114. See also Schmitt, "Weiterentwicklung des totalen Staats, *op. cit.*, p. 361.

19. Jean Bodin, *On Sovereignty. Four Chapters from the Six Books of the Commonwealth* (Cambridge: Cambridge University Press, 1992), p. 1. Translation modified.

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legally independent and underived power does not have much practical meaning, since in political reality there is no irresistible highest or greatest power. What is decisive is who has this power in a *concrete situation*: in the state of emergency and, above all, in the *state of exception.*[20]

For Schmitt, as the formula goes, the sovereign is he who decides in the state of exception. However, inasmuch as it is not possible to determine the exception beforehand — to the extent that it is by nature unpredictable and unexpected[21] — the sovereign is at the same time he who decides when and if there is a state of exception. By the same token, if the sovereign decides that there is a state of exception, then it is obvious that he also decides whether or not a situation is normal. For this reason, Schmitt concludes that in the last analysis every order rests on a decision, rather than on a norm. The sovereign is he who has the "monopoly over this last decision": the monopoly of order.[22] This order does not "establish itself," and the machine does not "run by itself," since every order and every machine is based on some decision. Yet, the *decision itself* "emanates from nothingness."

From the viewpoint of the sociology of concepts, the decision is analogous to the *miracle* — the divine interruption. This, however, does not make Schmitt's thinking theological. The decision is a miracle only if "looked at normatively,"[23] i.e., from the viewpoint of a self-propelling machine. In *Political Theology* Schmitt identified as his enemies those atheist and agnostic political thinkers who, like Mikhail Bakunin, spoke on behalf of immanence-pantheism or, like Kelsen, tried to abandon all metaphysics in the name of scientific positivism, and tried to confront them on their own ground, i.e., from the viewpoint of a self-propelling machine.

Thus, the decision — the sovereign's personal decision — is not a theological miracle. On the contrary, it is a miracle only for rationalistic schemes whose order it necessarily confounds. These schemes do not understand decision, since their purpose is a general representation of the totality. From the viewpoint of the general, however, there is always something "new and alien" in decisions.[24] Thinking which concentrates

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20. Schmitt argues that even for Bodin sovereignty is not "absolute and perpetual power," since he defines sovereignty as the prince's authority to suspend the law "under conditions of urgent necessity." Schmitt claims that Bodin derives all other features of sovereignty from this authority and, accordingly, he himself appeals to these features.

21. Schmitt, *Political Theology, op. cit.*, pp. 6 and 13: "It cannot be anticipated," and "defies general codification."

22. *Ibid.*, p. 13.

23. *Ibid.*, p. 31-32.

24. *Ibid.*, p. 31.

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on the general sees everything "new" as a miracle. On the other hand, Schmitt, whose point of departure is precisely this miracle, sees the general only in light of it — in light of real life.[25]

However, the sovereign decision is not something *totally* alien to the "crust of mechanism." It emanates from nothingness, but this nothingness is "*real* life" as such — and this "real life" (decision on the exception) lies on the *foundation* of all "mechanisms" (valid legal orders). "Real life" makes possible all "mechanisms" as constitutive instances. For this reason, Schmitt says that, even though the sovereign is "outside the normally valid legal order," he still "belongs to it."[26] He belongs to the normally valid legal order, not as part of it, but *in relation to its totality.* The sovereign grounds the norm *in toto*: "The sovereign decision is the absolute beginning [*Anfang*] and the beginning (also in the sense of *arkhe* [foundation, origin]) is nothing but sovereign decision."[27] The sovereign is thus included, but only through its exclusion.[28]

Resistance of the Plebs

If the first major difference between Foucault and Schmitt was the posing of the question, the second is between their respective perspectives. Unlike Schmitt, Foucault does not approach modern politics from the top down, but from the bottom up — not from the perspective of the prince, but from that of *resistance.* This is why he does not speak on behalf of the sovereign, whose decision would disrupt the self-propelling panoptic machine, but on behalf of something which, "in some sense," always *escapes* this machine, i.e., on behalf of the *plebs* or of a "certain plebeian quality." The question is one of quality, since for Foucault the plebs are not a real sociological entity or a "reactive primal matter," but a "centrifugal movement," an "inverse energy," or a "discharge": "There is plebs in bodies, in souls, in individuals, in the proletariat, in the bourgeoisie, but everywhere in a diversity of forms and extensions, of energies and irreducibilities. This measure of plebs is not so much what stands outside relations of power as

25. *Ibid.*, p. 13.: "In the [sovereign] exception the power of real life breaks through the crust of a mechanism that has become torpid by repetition."

26. *Ibid.*, p. 7.

27. Carl Schmitt, *Über die drei Arten des rechtswissenschaftlichen Denkens* (Berlin: Duncker & Humblot, 1993), p. 23-24. After turning to a philosophy of *nomos* in 1934, Schmitt rejected decisionistic rationalism, but described it only in order to relate it to normativism and especially to the institutionalism, which he had come to embrace.

28. On the paradox of sovereignty, see Giorgio Agamben, *Homos Sacer. Sovereign Power and Bare Life* (Stanford: Stanford University Press), pp. 15-29.

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their limit, their underside, their counter-stroke, that which responds to every advance of power by a movement of disengagement."[29]

These plebeian points of resistance are not only the internal limit of power,[30] but also the *motivation* "for every new development of networks of power."[31] For this reason, plebeian resistance is *indispensable* not only for an analysis of the apparatus of power, but also *for power itself.* As the Schmittian sovereign, it is *constitutive* (the "chemical catalyst") in relation to networks of power.[32] Foucault's plebs (political resistance) occupy the same place as Schmitt's sovereign (political decision), who is "outside the normally valid legal order," but "nevertheless belongs to it" as a constitutive element. The plebs are outside networks of power, yet they belong to them, not as integral parts, but actually *in relation to their totality:* "Where there is power, there is resistance."[33] They "found" the networks of power in *toto.* Of course, the plebs do so by resisting norms *and* decisions, i.e., "power relations." Yet, the *function* of the plebs is exactly the same as Schmitt's sovereign decision. They are "located in the break [*la rupture*]"[34] of the panoptic power in the same way as the Schmittian sovereign is located in the break of the valid legal order. In both cases, this break is decisive. Therefore, the plebs and the sovereign, the point of resistance and of decision, are both "borderline concepts" belonging to the same sphere, i.e., the "extreme sphere,"[35] which nourishes every rule. While Schmitt thought that this founding "borderline concept," which decides on the state of exception, is the sovereign, Foucault outlines the counter-figure of the plebs, which, even without deciding on anything, is indispensable and even constitutive in relation to networks of power.

Necessary "Vitalism"

Despite the differences between their perspectives and between the form of their of question ("how" and "who"), Foucault and Schmitt share the same structure of thought. Because of this, both of them have been accused of "irrational vitalism." Yet, their "vitalism" has a rational basis

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29. Michel Foucault, "Powers and Strategies," in *Power/Knowledge. Selected Interviews and Other Writings* (New York: Pantheon, 1980), p. 139.
30. Foucault, *The History of Sexuality, op. cit.*, p. 96: "they are inscribed in the latter as an irreducible opposite."
31. Foucault, "Powers and Strategies," *op.cit.*, p. 138.
32. Foucault, "The Subject and Power," *op.cit.*, p. 211.
33. Foucault, *The History of Sexuality, op. cit.*, p. 95.
34. See Foucault, "Qu'est-ce qu'un auteur?" *op. cit.*, p. 798.
35. Schmitt, *Political Theology, op. cit.*, p. 6.

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and should not be confused with the romantic version, according to which life as such creates the most beautiful forms.[36] The point of departure of their "vitalism" is always the exception to the rule, even if this rule is romantic "life as such."[37] The necessity of this "vitalism" derives from the recognition that in modernity — the epoch of immanence — the setting of a rule signifies a return to the past, to order based on transcendence (God, nature, tradition). In this epoch of immanence, every order which is to be something other than a mechanical and lifeless abstraction has to search for an irregular basis: the exception. For Schmitt, this exception is the sovereign decision,[38] for Foucault, it is the resistance of the plebs. In the final analysis, however, the question is about the same thing, the same principle, the same borderline concept between form and formlessness, which constitutes form *by escaping from it.* For this reason, Foucault is able to write that even though power relations invest in life and try to integrate it in its apparatuses, life nevertheless "constantly escapes them."[39] This is not because life is the romantic antibody of power, but because *there are no power relations without this escape*, as much as there is no legal order without sovereign decision, which "defies general codification." From the perspective of concrete life, universal domination, which both thinkers opposed, is ultimately only a satanic utopia. Whether the way they opposed universal domination was right or not is an altogether different question.[40]

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36. On Foucault's vitalism, see Luc Ferry and Alain Renaut, "Foucault," in Mark Lilla, ed., *New French Thought: Political Philosophy* (Princeton: Princeton University Press, 1994), pp. 54-62.

37. Foucault's "bio-power" makes sense only from this perspective, i.e., that life as such rules modern politics: "For millennia, man remained what he was for Aristotle: a living animal with additional capacity for a political existence; modern man is an animal whose politics places his existence as a living being in question." Foucault, *The History of Sexuality, op. cit.*, p. 143.

38. Schmitt has other exceptions too: killing in war, land-appropriation, etc., but to the extent that the argument is about the structure and logic of Schmitt's thought, the paradigmatic example of sovereignty is sufficient.

39. Foucault, *The History of Sexuality, op. cit.*, p. 143.

40. On the critique of the logic of this political "extremism," see Mika Ojakangas, "Il sovrano; 'chiunque'. . .?" in *aut aut* 298 (July-August 2000), pp. 95-108.

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The Primitivist Critique of Modernity: Carl Einstein and Walter Benjamin[1]

David Pan

In the "Sirens" episode in Homer's *Odyssey*, Odysseus, relying on nothing more than the wax in his sailors' ears and the rope binding him to the mast of his ship, was able to hear the sirens' song without being drawn to his death like all the sailors before him.[2] Franz Kafka, finally giving the sirens their due, points out that their song could certainly pierce wax and would lead a man to burst all bonds. Instead of attributing Odysseus' survival to his cunning use of technical means, which he calls "childish measures,"[3] Kafka attributes it to the sirens' use of an even more horrible weapon than their song: their silence. Believing his trick had worked, Odysseus did not hear their silence, but imagined he heard the sound of their singing, for no one could resist "the feeling of having triumphed over them by one's own strength, and the consequent exaltation that bears down everything before it."[4] The sirens disappeared from Odysseus'perceptions, which were focused entirely on himself. Kafka concludes: "If the sirens had possessed consciousness, they would have been annihilated at that moment. But they remained as they had been; all that had happened was that Odysseus had escaped them."[5]

Max Horkheimer and Theodor Adorno have argued that this ancient

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1. From *Primitive Renaissance: Rethinking German Expressionism* by David Pan. Copyright 2001 by the University of Nebraska Press.
2. Homer, *Odyssey*, Book 12, pp.166-200.
3. Franz Kafka, "The Silence of the Sirens," in *The Complete Stories*, Nahum N. Glatzer, ed. and tr. by Willa and Edwin Muir (New York: Schocken, 1971), p. 430.
4. *Ibid.*, p. 431.
5. *Ibid.*, p. 432.

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epic demonstrates the inseparability of myth and Enlightenment. Odysseus is the model of an Enlightenment faith in human technology. Through clever technical means he is able to escape the injunctions of a mythic fate. By creating an exception to the mythic law and thereby destroying it, he replaces it with a new law of human technical mastery over nature.[6] In Kafka's account, however, the fascination of the story does not stem from Odysseus' cunning, but from the naïve optimism that could place so much trust in "his handful of wax and his fathom of chain."[7] This interpretation changes the character of the exception to the rule of fate that the story of the sirens presents. Instead of being the first instance of a new law of human sovereignty over nature, Odysseus' escape is an exception to the law of mythic fate that only affirms fate's capricious power to grant survival as well as to ordain death. His actions prove the degree of his self-delusion, and his refusal to recognize the power of the sirens has no effect on these impersonal manifestations of the forces of nature. The punishment that they have prepared for him is far worse than the physical death other sailors had found. In contrast to his predecessors, Odysseus, mesmerized by his faith in his own technical powers, has been rendered deaf to the voice of fate and dead to the world of spirit. The song of the sirens becomes an invention of his own mind that, in its inconsequential entertainment, diverts him from the silence that surrounds him. His survival in the epic depends on silencing the myth; but the fate that lies behind the myth continues to exist, though he is oblivious to it.

In this example, Kafka has taken the epic modernity of Homer's story and reinterpreted it, revealing once again the primitive mythic power that Horkheimer and Adorno seek to deny. If, in their reading, Homer's text struggles to overcome a mythic fate, Kafka's text struggles to revive it. The contrast between the Frankfurt School's modernist reading and Kafka's primitivist one does not demonstrate the regressive implications of progress, as Horkheimer and Adorno argue.[8] Rather, it reveals an alternative to the twin notions of progression and of regression in history. The progressivist position is not new. It is simply the latest version of the kind of cultural chauvinism that motivates the episodes of *The Odyssey* in which Homer describes how Odysseus' cleverness ultimately overcomes various instances of a backward or barbaric primitivity (e.g., the Lotus

6. Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment*, tr. by John Cumming (New York: Continuum, 1972), pp. 34 and 58-59.
7. Kafka, *op. cit.*, p. 431.
8. Horkheimer and Adorno, *op. cit.*, pp. 35-36.

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Eaters or the Cyclops).[9] When Kafka reads the opposition between myth and Enlightenment as part of a continuing conflict in human culture between piety and pride, he defends the coherence and relevance of a primitive perspective. In presenting this perspective, Kafka does not close off all possibility of Odysseus succeeding in his struggle against the sirens; he merely redefines the criteria for determining this success. He notes in an addendum to his story that Odysseus' only hope of outwitting the sirens, "although here the human understanding is beyond its depths," is by hearing their silence, thereby recognizing their power, and then feigning a feeling of victory.[10] This chance to effect a true escape from the sirens' trap does not lie in Odysseus' own technical abilities, but rather in his ability to maintain an inner consciousness of their sovereignty.

The opposition between a modern belief in human achievement and a primitive reverence for mythic fate provides the two basic perspectives defining the development of German culture in the 20th century. Both coexist, often within a single text, yet this opposition does not mean that expressionism is ambiguous.[11] Rather, it should be interpreted as part of the struggle of a primitive perspective[12] to assert itself in art and literature

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9. Horkheimer and Adorno, *ibid.*, pp. 62-67.

10. Kafka, *op. cit.*, p. 432.

11. See Silvio Vietta and Hans-Georg Kemper, *Expressionismus* (Munich: Fink, 1975), pp. 22, who describe a "'dialectic' of subject dissociation and renewal of humanity"; and Thomas Anz, "Gesellschaftliche Modernisierung, literarische Moderne und philosophische Postmoderne: Fünf Thesen" in Thomas Anz and Michael Stark eds., *Die Modernität des Expressionismus* (Stuttgart: Metzler, 1994), pp. 2-3. See also Jill Lloyd, *German Expressionism: Primitivism and Modernity* (New Haven: Yale University Press, 1992), pp. vi-ix.

12. Since the mid-1980s, a growing body of work has investigated the primitivist character of modernism. See Robert Goldwater's classic study, *Primitivism in Modern Art* (New York: Random House, 1938; Vintage Books, 1967); the catalog of the exhibition at the Museum of Modern Art in New York edited by William Rubin, *"Primitivism" in 20th Century Art: Affinity of the Tribal and the Modern* (New York: Museum of Modern Art, 1984); and such recent books as Karla Bilang, *Bild und Gegenbild: Das Ursprüngliche in der Kunst des 20. Jahrhunderts* (Stuttgart: W. Kohlhammer, 1989); Lloyd, *German Expressionism, op. cit.*; Colin Rhodes, *Primitivism and Modern Art* (London: Thames and Hudson, 1994); and Peg Weiss, *Kandinsky and Old Russia: The Artist As Ethnographer and Shaman* (New Haven: Yale University Press, 1995). Other recent works include Elazar Barkan and Ronald Bush, eds., *Prehistories of the Future: The Primitivist Project and the Culture of Modernism* (Stanford: Stanford University Press, 1995); Frances S. Connelly, *The Sleep of Reason: Primitivism in Modern European Art and Aesthetics, 1725-1907* (University Park, PA: Pennsylvania State University Press, 1995); Sally Price, *Primitive Art in Civilized Places* (Chicago: University of Chicago Press, 1989); Michael D. Hall and Eugene W. Metcalf Jr., eds., *The Artist Outsider: Creativity and the Boundaries of Culture* (Washington, DC: Smithsonian Institution Press, 1994); and Michael Taussig, *Mimesis and Alterity: A Particular History of the Senses* (New York: Routledge, 1993).

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after a prolonged suppression of primitive forms.[13] According to this interpretation, "modernism" is a misnomer for early 20th-century aesthetic movements. The idea of progress and opposition to the notion of tradition embedded in this word do not describe, but rather contradict the motivating impulses of this "primitivist" movement.

The confusion is not simply due to an interpretive fallacy, but to the historical situation of modernization against which the expressionists were revolting. The artists and writers of this period were deeply affected by the rapid pace of industrialization, which had transformed Europe from a traditional agrarian to a modern industrial society.[14] Yet, 20th-century aesthetic movements did not develop as an accompaniment to modernity, but as a reaction to and revolt against it. The age of industrialism institutionalized an aesthetics of autonomy in the 19th century and in the 20th century avant-garde attempts to merge art with life sought to overturn this Enlightenment aesthetics of autonomy and to criticize social modernization.[15] This double revolt against modernity leads to the development of a perspective on culture that does not supplement or accompany, but contradicts and replaces a modern perspective. Rather than subsuming 20th-century art within a larger process of modernization, understanding this art as fundamentally primitivist serves to emphasize the polar opposition between the modern and the primitive.

The equation of expressionism with primitivism brings with it a reinterpretation of the former's historical context. It makes expressionism a result of the imitation of primitive art forms rather than the creation of the radically new, and part of a cyclical rather than evolutionary European

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13. See also Marianna Torgovnick, *Gone Primitive: Savage Intellects, Modern Lives* (Chicago: University of Chicago Press, 1990); Marianna Torgovnick, *Primitive Passions: Men, Women, and the Quest for Ecstasy* (New York: Alfred A. Knopf, 1997); and C. Stanley Urban and S. Thomas Urban in collaboration with Jeff Urban, *Anti-Primitivism and the Decline of the West: The Social Cost of Cultural Ignorance*, 2 vols. (Lewiston, NY: Edwin Mellen Press, 1993). With regard to German literature, Regina Baltz-Balzberg provides an overview of broadly defined primitivist tendencies in the early 20th century in order to demonstrate the "primitivity of modernism" in *Primitivität der Moderne: 1895-1925 am Beispiel des Theaters* (Königstein im Taunus: Hain, 1983), p. 7. Meanwhile, August K. Weidmann makes a similar argument about the pervasiveness of "'primalizing' tendencies" in German literature and art in the early 20th century to show, however, that modernist primitivism "knowingly or unaware, paved the way for Hitler." See *The German Quest for Primal Origins in Art, Culture, and Politics 1900-1933: "Die Flucht in Urzustände"* (Lewiston, NY: Edwin Mellen Press, 1995), p. 4.

14. See, for example, Vietta and Kemper, *op. cit.*, pp. 18-19.

15. See Peter Bürger, *Theory of the Avant-Garde*, tr. by Michael Shaw (Minneapolis: University of Minnesota Press, 1984), pp. 47-50.

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development. Primitive art, including the art of Africa and the South Seas as well as medieval and 20th-century European folk and religious art, played a crucial role in the development of 20th-century European art, analogous to the influence Greek classicism had on the Renaissance. In both cases, art from other cultures inspired a radical shift in the development of Western art. Yet both the Renaissance and the rise of primitivism were integral parts of an inner-European movement between the two poles of progressivism and primitivism. In fact, the 20th-century primitive renaissance was described by expressionists such as Franz Marc as the completion of a cyclical trajectory that began in the Middle Ages, moved through the Renaissance and the Enlightenment, and ended with a return to the aesthetic forms of, among others, the pre-Renaissance Italian primitives.[16] Thus, the first formal definition of primitivism, published in France at the turn of the 20th century, designated it as "*imitation des primitifs*," where the word *primitif* referred to pre-Renaissance European art.[17]

This initial understanding demonstrates that the primitive did not simply invade the European cultural tradition from outside, but rather developed out of the European critique of a Renaissance-oriented aesthetic. The primitive does not designate something foreign, but familiar, though perhaps repressed. While the receptivity of European artists to the primitive art of Africa and the South Seas sometimes reverted to exoticism,[18] the underlying impulse was determined by a coincidence of goals pursued by these European primitivists and the tribal primitives they imitated.

Defining expressionism as a primitivist critique of modernity does not limit the heterogeneity of positions encompassed by this movement. Rather, it explains the explosion of new artistic practices that characterize late 19th and early 20th century European culture. The examples of primitive art from Africa, the Americas, and the South Seas that expressionists used, all came from cultural contexts in which no unifying, imperial culture was dominant. Instead, they came , from cultural environments in which the art of each particular tribe was allowed to develop on its own. Primitive art is local art, and

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16. Franz Marc, "Two Pictures," in *The Blaue Reiter Almanac*, Wassily Kandinsky and Franz Marc, eds. (1912; reprint, New York: Viking, Da Capo Paperback, 1974), pp. 65-67. This was a documentary edition edited by Klaus Lankheit.

17. *Nouveau Larousse illustré* (Paris: Librairie Larousse, 1897-1904), s.v. "primitif," p. 32.

18. For an analysis of such exoticism in Max Pechstein and Emil Nolde, see Lloyd, *op. cit.*, pp. 161-234, and Russell Berman, "German Primitivism/Primitive Germany: The Case of Emil Nolde," in *Fascism, Aesthetics, and Culture*, ed. by Richard J. Golsan (Hanover, NH: University Press of New England, 1992), pp. 56-66.

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the primitivism of expressionist art becomes evident not only in the stylistic affinities between expressionist and African art, but also in the genesis of expressionism in a series of local groups of artists in separate centers such as Berlin, Dresden, Munich, Vienna, and Prague. One of the main characteristics of primitivism is thus the elimination of a unifying "imperialist" perspective, and a multiplication of local aesthetic possibilities.

The aesthetic multiplicity of primitivism also corresponds to a political heterogeneity. The political allegiances of expressionist writers and artists are notoriously difficult to typify. Yet, when considered as political primitivists, writers and artists with such varying political sympathies as the communists Johannes Becher and Max Pechstein, the anarchists Carl Einstein and Franz Kafka, and the protofascists Gottfried Benn and Emil Nolde all suddenly appear as presenters of variations on a single political theme.[19] Though the specific characteristics of each variant, whether communist or anarchist or fascist, were to have dire consequences for the political history of Europe, the primitivist political outlook they shared clearly links these figures to each other as expressionists.[20]

But, if primitivism is linked to such aesthetic and social variety, how can a specifically primitivist perspective be defined? What do all of the competing primitivist aesthetic forms share? Determining what primitivism excludes is a first step, and primitivism excludes the idea of progress along with aesthetic forms based on this idea. Progressivism and primitivism[21] can be distinguished according to their view of the possibilities of human endeavor in light of recent advances in science and technology. While a progressivist view discerns in modern, technological development a fundamental change in the parameters of human existence, the

19. For a description of Kafka's anarchist interests, see Michael Löwy, *Redemption and Utopia: Jewish Libertarian Thought in Central Europe: A Study in Elective Affinity* (Stanford: Stanford University Press, 1992), p. 72 and 82-83.

20. For an analysis of the different political tendencies within "charismatic modernism," see Russell Berman, *The Rise of the Modern German Novel: Crisis and Charisma* (Cambridge: Harvard University Press, 1986).

21. Use of the word *primitive* is an attempt to redeem it from a modern, evolutionary perspective and emphasize the proximity between the primitive and the primitivist. If the primitivist character of modernism has been demonstrated, it has also resulted in such a broad definition of primitivism that it now encompasses not just an interest in the art of Africa, the Americas, and Oceania, but much more. The result is that what is "primitive" rather than "primitivist" in modernism has been obscured and even denied. See Connelly, *op. cit.*, pp. 5-6; and William Rubin, *op. cit.*, pp. 5-6. See also Thomas McEvilley *et al.*, "Doctor Lawyer Indian Chief: 'Primitivism' in 20th Century Art at the Museum of Modern Art," in Russell Ferguson *et al.*, eds., *Discourses: Conversations in Postmodern Art and Culture* (Cambridge: MIT Press, 1990), p. 342.

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primitivist view emphasizes that technological progress does not change the existential situation of the modern compared to the primitive.

It is necessary, however, to demonstrate this distinction in perspective, and to sketch out a preliminary definition of primitivism and the viewpoint it seeks to recover. This can be done by comparing the critique of modernity developed by the art historian Carl Einstein (1885-1940) with that of Walter Benjamin (1892-1940). Both were German Jews with secular educations, who nevertheless became interested in the relations between art and religious forms. Neither of them held any academic or official positions, and they lived by writing books, reviews, and articles for journals and newspapers. They spent most of their lives in Berlin and Paris, writing and publishing in both German and French. Finally, they both committed suicide in southern France in 1940, shortly after the German invasion.[22] But, though Benjamin has enjoyed a recent revival, Einstein's work remains unknown outside of a small circle of specialists.

The reasons for the previous neglect of Einstein's work and the current interest coincide. While his political affinities placed him in the same category as leftist and anarchist intellectuals such as Walter Benjamin, Ernst Bloch, Gustav Landauer, and Franz Kafka, his theories contain an unmistakable metaphysical element that ultimately lines up closer to conservative figures such as Gottfried Benn, Ernst Jünger, or Carl Schmitt. As a testament to the unsettling affinities between left-wing and right-wing critiques of modernity between the wars, Einstein's work was unassimilable by a Cold War, liberal academic perspective. As a consequence of the end of the Cold War and a renewed postmodern critique of Enlightenment, it has now begun to reemerge.

Einstein's innovation as a thinker becomes immediately evident when his work is compared with Benjamin's. Though Benjamin is known for being a critic of the idea of progress, his concept of modernity is nevertheless founded on a progressivist consciousness that believes in evolution from a traditional to a modern world. By contrast, Einstein's primitivist refusal to accept the validity of an evolutionary understanding of the distinction between tradition and modernity leads him to view them

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22. See Sibylle Penkert, *Carl Einstein: Beiträge zu einer Monographie* (Göttingen: Vandenhoeck & Ruprecht, 1969); and Bernd Witte, *Walter Benjamin: An Intellectual Biography* (1985), tr. by James Rolleston (Detroit: Wayne State University Press, 1991). For details about Benjamin's death, see Ingrid Scheurmann, "New Documents on Walter Benjamin's Death," in Ingrid and Konrad Scheurmann, eds., *For Walter Benjamin*, tr. by Timothy Nevill (Bonn: Arbeitskreis selbständiger Kultur-Institute, 1993), pp. 265-97.

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as opposite poles of a constant conflict within human society. The strength of Einstein's view lies in his ability to delineate a distinction between rationalist and mythic modes of relating to nature. By the same token, the weakness of Benjamin's argument stems from his inability to recognize that myth and ritual remain crucial for human experience because rational critique is an imperfect tool for organizing cultural life.

Commentators have noted in Benjamin's work an ambivalent attitude toward tradition and ritual.[23] He acknowledges the hypothetical value of aura and ritual for maintaining the possibility of coherent, communal experience in the modern psyche, but argues that traditional forms dependent on aura and ritual can no longer function in the modern world.[24] He voices his regret at the loss of the cult ritual when, in "The Storyteller" (1936) and "On Some Motifs in Baudelaire" (1939), he recognizes that the aura of the cult object is the prerequisite for genuine experience: "Where there is experience in the strict sense of the word, certain contents of the individual past combine with material of the collective past. The rituals with their ceremonies, their festivals (probably nowhere recalled in Proust's work) kept producing the amalgamation of these two elements of memory over and over again. They triggered recollection at certain times and remained handles of memory for a lifetime."[25] In contrast to modern genres such as the novel, traditional forms such as oral storytelling presuppose the audience's embeddedness within a collective cultic experience. Benjamin's mourning of the end of storytelling is based on his recognition of the need for cultural constructs that integrate individual experience with collective memory.

Though Benjamin's nostalgia for traditions and rituals such as storytelling may be read as a celebration of tradition, his work is built on the anti-traditionalist assumption that culture evolves as a progression from a traditional to a modern world. He attributes the causes of this evolution to advances in technology that create an incommensurability between a modern situation and traditional modes of experience. Describing a modern

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23. Rainer Rochlitz, *The Disenchantment of Art: The Philosophy of Walter Benjamin*, tr. by Jane Marie Todd (New York: Guilford Press, 1996), p. 214. See also Richard Wolin, *Walter Benjamin: An Aesthetics of Redemption*, 2nd ed. (Berkeley: University of California Press, 1994), pp. 224-25.

24. John McCole notes that: "Benjamin's work celebrates and mourns, by turns, the liquidation of tradition." See McCole, *Walter Benjamin and the Antinomies of Tradition* (Ithaca: Cornell University Press, 1993), p. 8.

25. Walter Benjamin, "On Some Motifs in Baudelaire," in *Illuminations*, tr. by Harry Zohn (New York: Schocken, 1968), p. 159. See also Benjamin, "The Storyteller," in *ibid.*, p. 102.

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situation inaugurated by WWI, in which communicable experience is no longer possible, Benjamin writes: "For never has experience been contradicted more thoroughly than strategic experience by tactical warfare, economic experience by inflation, bodily experience by mechanical warfare, moral experience by those in power. A generation that had gone to school on a horse-drawn streetcar now stood under the open sky in a countryside in which nothing remained unchanged but the clouds, and beneath these clouds, in a field of force of destructive torrents and explosions, was the tiny, fragile human body."[26] Here, Benjamin depicts the modern decline of experience as an incommensurability of the body (the measure of experience for the individual) with the landscape in which it exists. He blames this situation on the scale of modern structures, which have replaced familiar contexts. In Benjamin's account, the conflict between the individual and the outside world is a specifically modern dilemma that results from new technology and mass systems of government and economy.

This decidedly progressivist vision of a world that has advanced beyond the capacities of traditional culture undermines any recognition of the value of rituals for constituting human experience. Because Benjamin believes that modernization has made the decline of tradition irreparable, he argues that collective experience can no longer be transmitted, as before, in the form of stories, and that "the art of storytelling is coming to an end."[27] His defense of the possible value of ritual is thus made with the consciousness of its obsolescence. Because he views the liquidation of tradition as an irreversible progression, he turns to modern methods to dispel the alienation that he describes. The solution he offers is to create new hybrid forms such as "profane illumination," which he sets up as a replacement for religious illumination: "the true, creative overcoming of religious illumination does not lie in narcotics. It resides in a *profane illumination*, a materialistic, anthropological inspiration, to which hashish, opium, or whatever else can give an introductory lesson."[28]

Such new secular forms do not create auratic or cultic experience;

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26. *Ibid.*, p. 84.
27. *Ibid.*, p. 83.
28. Benjamin, "Surrealism" in *Reflections*, tr. by Edmund Jephcott (New York: Schocken, 1986), p. 179. In his attempt to develop a theory of mimesis as a "sensuous knowledge in our time" (p. 44), Michael Taussig reads Benjamin as a primitivist (*op. cit.*, pp. 19-20). Yet, because Benjamin attempts to merge "primitive" structures into a "modern" situation in his idea of "profane illumination," Taussig's own concept of sensuous knowledge becomes a fusion "where science and art coalesce to create a defetishizing/reenchanting modernist magical technology of embodied knowing" (p. 24).

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rather, they foster rational critique and reflection. In contrast to the attitude of submission to a collective past that Benjamin sees in the ritual, his ideal art is a kind of "shock defense" that transforms potentially traumatic experiences, which, much like rituals, would affect the very structure of consciousness, into everyday events that are assigned a specific place in memory: "Without reflection there would be nothing but the sudden start, usually the sensation of fright which, according to Freud, confirms the failure of the shock defense."[29] To cultivate the reflection necessary for a successful "shock defense," Benjamin seeks (e.g., in "The Work of Art in the Age of Mechanical Reproduction" [1936]) to develop in the film audience a critical attitude toward the outside world. He looks to film as montage rather than as storytelling to find the essential aesthetic objects of the 20th century. Such a replacement of ritual with reflection is only possible if one believes in the capacity of consciousness to plumb the depths of experience through rational means and denies that nature can present a tragedy-producing opposite to human endeavor. According to Benjamin, myths and rituals can no longer serve any function for consciousness and are simply archaic constructs that need to be replaced by rational critique.[30]

Yet, Benjamin remains unhappy with this solution, not because he believes the intellect is inadequate to the task of replacing myth, but because he mourns the loss of any resistance to the subject on the part of the object: "To perceive the aura of an object we look at means to invest it with the ability to look at us in return. This experience corresponds to the data of the *mémoire involontaire*."[31] The submission to the gaze of the object is a submission to one's own repressed, involuntary memories and, consequently, to those experiences that are fundamental to the construction of the psyche. Benjamin searches for a modern version of this experience of the object in Baudelaire's *correspondances* and in Proust's *mémoire involontaire*. But, in doing so, he must bring back into his theory what he had been trying to ban from it all along: tragedy and mythic sacrifice. For the gaze of the object and the involuntary character of memories are nothing other than continuing reminders of the mythic violence that continues to limit and frustrate human aspirations, threatening

29. Benjamin, "On Some Motifs," *op. cit.*, p. 163.

30. Benjamin, "The Work of Art in the Age of Mechanical Reproduction," in *Illuminations*, pp. 230-41. For a discussion of Benjamin's progressivism, see Russell Berman, *Modern Culture and Critical Theory: Art, Politics, and the Legacy of the Frankfurt School* (Madison: University of Wisconsin Press, 1989), pp. 34-36.

31. Benjamin, "On Some Motifs," *op. cit.*, p. 188.

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the sovereign power of the intellect. A recognition of this violence must lie at the basis of every attempt to recover the auratic gaze of the object, which by definition must be based in a realm that is beyond the control of the intellect and is thus a potential source of danger.

To make a return to rituals and the gaze of the object possible without having to accept the necessity of mythic violence, Benjamin attempts to distinguish between the horror of nature in myth and the overcoming of this horror in the fairy tale. In this way, he is able to posit a secret harmonious bond between humankind and nature that overcomes the violence of myth: "The liberating magic which the fairy tale has at its disposal does not bring nature into play in a mythical way, but points to its complicity with liberated man."[32] Benjamin's attempt to separate the happiness of the fairy tale from the horror of myth is based on the assumption of nature's "complicity with liberated man." The belief in this harmony between humankind and nature betrays a naïve faith in the power of technical means, not just to transform life, but to completely subdue nature to the point that it no longer presents any resistance or danger to human endeavor. As Winfried Menninghaus writes in reference to Benjamin's distinction between myth and fairy tale, "the point of Benjamin's idiosyncratic definition of fairy tale (and partly also of epic) is the possibility of a liberation or redemption from the myth through a 'thwarting of the tragic,' and this means above all: without sacrifice and expiation."[33]

Such a denial of the relevance of tragedy and sacrifice for the modern age is not based on any objective evidence, but only on the belief that "one's chances increase as the mythical primitive times are left behind."[34] Benjamin's attempt to reconcile humankind with nature through visions of the happiness of fairy tales, profane illumination, or poetry as shock defense is based on his inability to accept the basic contradiction between humankind and nature that creates the necessity for myth and ritual. He denies this contradiction, first, as in the passage quoted earlier, by postulating a secret harmony between humankind and nature, and second, by arguing that the age of myth has been superseded in the modern era because of the advance of "productive forces."

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32. Benjamin, *ibid.*, p. 102.

33. Winfried Menninghaus, *Schwellenkunde: Walter Benjamins Passage des Mythos* (Frankfurt am Main: Suhrkamp, 1986), p. 91. Menninghaus also describes Benjamin's vision of myth as being determined by his utopian goal of liberation from the domination of nature (pp. 73-75 and 80-81).

34. Benjamin, "The Storyteller," *op. cit.*, p. 102.

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Using this idea of reconciliation between humankind and nature in the fairy tale, Benjamin seeks to find such harmonious forms of ritual in the work of Baudelaire and Proust. Specifically, he reads Proust's work as an effort "to restore the figure of the storyteller to the present generation."[35] But in his discussion of storytelling, Benjamin notes an important difference between these modern ritual elements in the novel and traditional storytelling. In contrast to the collective context of the storyteller, "The novelist has isolated himself. The birthplace of the novel is the solitary individual, who is no longer able to express himself by giving examples of his most important concerns, is himself, uncounseled, and cannot counsel others."[36] Rather than submitting in the story to the collective experience embedded in the ritual, the individual in the novel submits to the force of associations derived from private memories.

Benjamin's focus on the Proustian *mémoire involontaire*, though framed as an attempt to retrieve ritual, only demonstrates the novelist's inability to provide a collective, cultic experience of the object,[37] since the taste of the madeleine bringing back the involuntary memory of Combray for Proust can only reproduce on an individual level the collective remembrance embedded in the Passover bread or the Catholic communion. Since the primary function of ritual is to integrate individual experience into a collective totality, the *mémoire involontaire* cannot be a blueprint for a modern form of "profane illumination," as Benjamin contends. It can instead only be a symptom of the decline of collective experience in storytelling, and of the institutionalization of social atomization in the novel. This shift from traditional to modern experience is not a form of technological progress or a sign of the obsolescence of rituals. Rather, it is a result of a conscious turning away from collective rituals that, according to Einstein, has led, not to a new rationalized form of experience, but only to the proliferation of private neuroses.

In contrast to Benjamin's progressivism, Einstein's primitivist refusal to accept the validity of an evolutionary understanding of the distinction between tradition and modernity leads him to view them as opposite poles of a constant conflict. Where Benjamin searches for reconciliation, Einstein maintains the irresolvability of contradiction. Einstein's concept of a

35. Benjamin, "On Some Motifs," *op. cit.*, p. 159.
36. Benjamin, "The Storyteller," *op. cit.*, p. 87.
37. See Helmut Pfotenhauer, *Ästhetische Erfahrung und gesellschaftliches System: Untersuchungen zu Methodenproblemen einer materialistischen Literaturanalyse am Spätwerk Walter Benjamins* (Stuttgart: J. B. Metzler, 1975), pp. 75-76.

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modern primitivization does not differentiate between myth and fairy tale, and does not offer any idea of a "complicity" between humankind and nature. Consequently, in humankind's relation to nature there is no possible return to a harmonious, but only to a primitive state of conflict. This perspective is founded on the assumption that the situation of the modern with respect to the outside world is no different than that of the primitive.

In "The Storyteller," Benjamin describes the incommensurability between the individual and the outside world as a modern experience of alienation from a terrifying world. According to the primitivist viewpoint, this incommensurability is nothing new, but rather the basic presupposition of every mythic system. Einstein writes: "But now, what is the relation of the artistic man to the world? Precisely that of the primitive man, he is fearful of it, he is inhibited by the multiplicity of impressions of civilization, he fears reality, which constantly wants to shock him and tear him out of himself."[38] Einstein interprets the "modern" alienation of the individual from external reality as a return to a primitive attitude toward a hostile world. This attitude is a characteristic of the 20th century "artistic man," who does not approach reality with the critical attitude of the 19th-century positivist. Instead, he relates to the world with an aesthetic sensibility that recognizes both the power of outside forces and the corresponding inadequacy of rational constructs to organize consciousness.

While Benjamin characterizes the irreversible decline of storytelling as "a concomitant symptom of the secular productive forces of history," for Einstein the modern decline of communal experience is the result of an abandonment of mythic structures that mediate between the individual and the outside world.[39] Like Benjamin, Einstein characterizes the modern situation as an alienation of the individual from the outside world. But instead of providing a technical and materialist explanation for this alienation he suggests a spiritual one. From his viewpoint, technological advances in themselves do not produce a cultural situation of modernity. Rather, modernity stems from the attempt to replace mythic structures of experience with scientific and rational ones that fail to recognize the

38. Carl Einstein, "Probleme heutiger Malerei," in Carl Einstein, *Werke*, Vol. 3, 1929-1940, Marion Schmid and Liliane Meffre, eds. (Berlin: Medusa, 1985), p. 576. Cf. Georg Simmel, "The Metropolis and Mental Life," in *The Sociology of Georg Simmel*, tr. and ed. by Kurt H. Wolff (New York: Free Press, 1950), pp. 409-24, which describes the shock effects of the modern city, but sees them as unique to modern urban society. Simmel was one of Einstein's professors when he was studying in Berlin. See Penkert, *op. cit.*, pp. 44-45.

39. Benjamin, "The Storyteller," *op. cit.*, p. 87.

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unconscious forces of the psyche. In a 1931 lecture on 20th-century art, Einstein remarks: "The mechanization and intellectualization of life was so excessive that a mass of repressions was stored up of forces that could not be utilized within a rational system."[40] The alienation of the individual is a result of an application of scientific reasoning in a spiritual area in which it does not belong, leading to a buildup of repressed forces. Early 20th-century primitivist art, however, presents a return to mythic tendencies, which have hitherto been suppressed, but are still necessary in the modern world: "thus something returns, the romantic valorization, the turn to the fairy tale, exactly like the primitive man. Now all of these mythic forces regain their rightful place and man no longer agrees to submit to the inhibitions of a selective rationality."[41] Because the structures of reason are incapable of organizing individual experience, the return of mythic forces in the fairy tale is not a regression, but rather the return of a repressed dimension in human experience to its rightful place.

Because Einstein rejects the notion of progress, he also does not treat the return to a primitive attitude as a regression to an earlier stage of a supposed human evolution toward modernity. His primitivism does not advocate a rejection of modern technology, a "return to nature," or a simple reestablishment of the myths of another era. Rather, he attempts to show that mythic thought addresses psychological and spiritual issues that remain relevant even in an age of technological modernization. 20th-century art is consequently bound by the same parameters that have governed the construction of myth up to the present day.

The consequences for Benjamin's and Einstein's aesthetics of their disagreement about tradition become most evident in their readings of fascist cult rituals. While Benjamin has been described as the quintessential opponent of fascism, Einstein's defense of myth has been read as a sign of an ambiguous complicity with a fascist "neo-primitivism."[42] His differentiation between conceptual and aesthetic forms leads him to support an aestheticization of experience, bringing him very close to what Benjamin condemns as a characteristic of fascism: "The logical result of Fascism is the introduction of aesthetics into political life. The violation of the masses, whom Fascism, with its Führer cult, forces to their knees,

40. Einstein, *op. cit.*, Vol. 3, p. 578.
41. *Ibid.*, Vol. 3, p. 581.
42. Klaus H. Kiefer, *Diskurswandel im Werk Carl Einsteins: Ein Beitrag zur Theorie und Geschichte der europäischen Avantgarde* (Tübingen: Max Niemeyer Verlag, 1994), p. 519.

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has its counterpart in the violation of an apparatus which is pressed into the production of ritual values."[43] For Benjamin, the key issue in the aestheticization of political life is the production of ritual values in the cult. While Einstein sees them as essential for the collective integration of experience, for Benjamin cult and ritual have become as obsolete as the horsedrawn streetcar. For Benjamin, this obsolescence of ritual elements determines their reactionary character in the hands of the fascists.[44] By contrast, Einstein insists on the continuing relevance of the experience of cultic submission as the only means for a collective appropriation of history.[45] For him, the cultic experience of submission is necessary for mediating between the outer world and the human psyche, and this mediation is essential for the primitive, whether in the jungles of the Amazon or of the modern European city.

Yet, Einstein's understanding of the cult ritual can still be clearly differentiated from the fascist one. While the spectator submits to the leader in the fascist Führer cult and, according to Benjamin, the story similarly "bears the marks of the storyteller much as the earthen vessel bears the marks of the potter's hand,"[46] in Einstein's description of African sculpture the creator is not sovereign. Both artist and spectator submit to the power of the cult object and the forces that it invokes: "The effort [of the artist] is a distanced adoration and the work of art. It is therefore *a priori* something independent, more powerful than the creator; particularly since this creator invests his entire energy into the work and therefore sacrifices himself as the weaker one in favor of the work of art."[47] The power of the cult object derives from the psychic energy invested in the object by both the creator and the spectator, and both stand in an attitude of submission before the gaze of the object. This gaze, comparable to the gaze of the sirens, presents in plastic form neither a fascist nor a foreign Other. Rather, it presents the forces that limit human endeavor and thereby

43. Benjamin, "The Work of Art," *op. cit.*, p. 241.

44. See Renate Reschke, "Barbaren, Kult und Katastrophen: Nietzsche bei Benjamin. Unzusammenhängendes im Zusammenhang lesen," in Michael Opitz and Erdmut Wizisla, eds., *Aber ein Sturm weht vom Paradiese her: Texte zu Walter Benjamin* (Leipzig: Reclam, 1992), pp. 322-23; and Willi Bolle, *Physiognomik der modernen Metropole: Geschichtsdarstellung bei Walter Benjamin* (Cologne: Böhlau, 1994), p. 211 and 214-22.

45. "In order for the eyes of the collective to be able to achieve a structure, laws of seeing are necessary that evaluate the material of physiological vision in order to grant it a human meaning." Se Einstein, "Totalität," in Rolf-Peter Baacke with Jens Kwasny, eds. *op. cit.*, Vol. 1, 1908-1918 (Berlin: Medusa, 1980), p. 223.

46. Benjamin, "On Some Motifs," *op. cit.*, p. 159.

47. Einstein, *Negerplastik*, in *op. cit.*, Vol. 1, p. 251.

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determine the structure of human experience in a particular cultural context. From Einstein's perspective, the fascist Führer cult is not an example of a functioning ritual whose role is to create a mimesis of the antinomies of experience for a collective. Instead, it is an attempt to manipulate ritual forms to serve the specific political goals of the creator. While, despite his condemnation, Benjamin essentially accepts the fascist reading of art as a form of manipulation, Einstein understands art as mimesis.

In its reaction to industrialization, the primitivist perspective was not a revolt against the particular technological products of natural science such as the railroad, the telegraph, or the cinema, for which primitivists often expressed a deep admiration. Rather, this revolt was directed against the modern worldview that accompanied these technical advances. The success of new technologies infused this worldview with the notion of the obsolescence of the old, borrowed from the history of natural science, in which older scientific models and technologies are superseded by newer ones and rendered irrelevant for later generations. By transfering this idea into the realm of culture, Enlightenment thinkers from the 18th and 19th centuries created not just a particular revolt against a preceding tradition but a revolt against the idea of tradition itself. Hence, the term *modern* brings with it the implication that culture has advanced to a new dimension, undergoing a kind of Copernican revolution in which not only old ideas but an entire relation to the past is overthrown. In contrast to the belief in progress expressed by this Enlightenment attitude, the reaction of early 20th-century artists to modernization was a primitivist one grounded in a critique of science, rather than an emulation of it. Because 19th-century scientific objectivism was both anti-traditional and anti-primitive, the 20th-century critique of science paved the way for a reappraisal of the ideas of tradition and of the primitive.

The primary cultural component of this reappraisal consisted of a reevaluation of the status of art in modern society. Primitivists reacted against the ornamental, accompanying function to which they felt art had been relegated in a society that depends on technological achievements, and therefore attempts to regulate all social functions by means of rational systems. For the primitivists, art was to fulfill essential social functions, such as the creation of group identity and a common language, the establishment of law, and the regulation of generational processes of birth, marriage, and death. All these were functions that, so the primitivists thought, had simply been neglected by a technological worldview incapable of supplanting traditional forms. This primitivist reappraisal of the

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role of art in society goes beyond Peter Bürger's understanding of a merging of art and life, which simply means a destruction of the institution of art and the treatment of art as a commodity.[48] The expressionist revolt must be understood primarily as a primitivist one that attempts to preserve the particularity of aesthetic experience, but wishes also to make aesthetic experience into something more than entertainment or ornament.[49] Art for the primitivists provides the mytho-aesthetic template for the forms of everyday experience.

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48. Bürger, *Theory of the Avant-Garde*, *op. cit.*, pp. 51-54.

49. Cf. Peter Uwe Hohendahl's argument that what these different modernist models ultimately share is "the valorization of the aesthetic sphere, the instistence [*sic*] that art is not only autonomous but can and will eventually change history." See "The Loss of Reality: Gottfried Benn's Early Prose" in Andreas Huyssen and David Bathrick, eds., *Modernity and the Text: Revisions of German Modernism* (New York: Columbia University Press, 1989), pp. 93-94.

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Benjamin's Magic

Joshua Gunn

Athough Benjamin used "magic" casually at times, mapping this usage helps explain his theoretical trajectory from his earliest obsessions with pure language to his later preoccupation with history. Clarifying Benjamin's use of the concept provides unique insight into a number of themes in his work, from mysticism to his later preoccupation with death. Ultimately, Benjamin's "magic" reduces to strategies concerning the persuasive power of words to move people to political action.

Magic and "Language As Such"

"Magic" comes from the Latin *magus*, which in turn was used to describe a member of the Zoroastrian priestly caste. By the 14th century, *magus* meant "sorcerer" — someone who claimed to control the natural by means of the supernatural. Eventually, it came to mean the use of spells.[1] In this sense, it is understandable why Benjamin's early uses of "magic" appear in relation to his tortuous ruminations on "pure language." In a letter to Martin Buber and in a posthumously published essay, "On Language as Such," both dating back to 1916, "magic" refers to the "unmediated" qualities of language. In the Buber letter, written shortly before "On Language as Such," Benjamin makes a "programmatic

1. The concept can also be traced back to Gorgias, as the power of speech was often compared to witchery and spellbinding. Cf. Jacqueline de Romily, *Magic and Rhetoric in Ancient Greece* (Cambridge: Harvard University Press, 1975). Kenneth Burke uses the term in reference to the creative ability to produce something from nothing. See Kenneth Burke, *A Grammar of Motives* (Berkeley: University of California Press, 1969); and William A. Corvino, *Magic, Rhetoric, and Literacy: An Eccentric History of the Composing Imagination* (New York: State University of New York Press, 1994).

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statement" concerning what some believe was his "lifelong concentration on the 'essence of language.'"[2] In rejecting Buber's offer to write for *Der Jude*, a journal whose political orientation Benjamin found unpalatable, Benjamin outlined a formulation of language that avoided politically instrumental ends. Here "magic" appears as a sacred feature of language that cannot be captured in writing.[3]

In the Buber letter, Benjamin substitutes magic with "unmediated," and uses magic both as a quality of language and as a description of the effect of language's "mystery" on people. Further, the salutary effects of language are magical *only* insofar as they relate to its mystery and are not destructive.[4] In the same paragraph, magic is used in a related, but different sense, which isolates a realm of silent language.[5] This second sense is a *realm* of language that cannot be described, only intuited. To write politically without defiling language, one must aim toward the ineffable, i.e., a silent realm where there is a direct correspondence between language and "moving action."

Benjamin denies a direct relation between words and things, for such a distinction presumes *human language*. Rather, in this magical realm there is no differentiation between object and language (a notion Benjamin explains in "On Language as Such"). As with Kant's subject confronting sublimity, Benjamin's writer only comes to pure language in silence. The impetus for "moving action" — motivation — is a magical after-effect of meeting pure language and intuiting its unmediated,

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2. Hent de Vries, "Anti-Babel: The 'Mystical Postulate' in Benjamin, de Certeau and Derrida," in *M.L.N.* 107 (1992), p. 442.

3. Walter Benjamin, *The Correspondence of Walter Benjamin, 1910-1940*, ed. by Gershom Scholem and Theodor W. Adorno, tr. by Manfred R. Jacobson and Evelyn M. Jacobson (Chicago: University of Chicago Press, 1994), p. 80: "I can understand writing as such as poetic, prophetic, objective in terms of its effect, but in any case only as magical, that is, as unmediated. Every salutary effect, indeed every effect not inherently devastating, that any writing may have, resides in its (the word's, language's) mystery. In however many forms language may prove to be effective, it will not be so through the transmission of content, but rather through the purest disclosure of its dignity and nature."

4. Whether this is meant as a criticism of the enthusiasm for the war found in early contributions to *Der Jude* is unclear. What is clear, however, is that magic is not to be associated with destructive uses of language.

5. Translated in de Vries, "Anti-Babel . . ." *op. cit.*, p. 442: "My concept of an appropriate and at the same time highly political style of writing is to lead up to the ineffable: only there, where this wordless realm discloses itself in (its) inexpressible pure force (power, violence), can the magic flash between word and moving action leap across (from one side to the other). . . . Only the intensive destination of the words in the direction of the heart of the most inner silencing achieves the true effect."

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"objective" status beyond the human. The guarantee of correct moral action is the silent and unutterable. In the essay, the guarantor of "objective writing," and in turn of morally straight-motivated action, is God.

In "On Language as Such," Benjamin continues his early attempts to "rescue language from any instrumentalist conception,"[6] and further embellishes his understanding of language's "magic." From a perspective prefiguring the later linguistic turn in philosophy, he argues that "there is no event or thing in either animate or inanimate nature that does not in some way partake of language," and human language is only one window into "language as such."[7] Benjamin insists that this understanding is "in no way metaphorical," and that to treat the language of Creation as such is self-delusional — the result of mistaking the correspondence between objects (which he calls "communication") with the desire to exploit nature and each other *through* representation. These correspondences, however, are both corporeal and quasi-spiritual in nature; they are relations between each thing's "spiritual" meanings within their materiality.

In the latter part of the essay, Benjamin makes two arguments based on his description of language as such. The first is that human beings have a privileged status in Creation, because only they possess the "faculty of naming."[8] Since material objects can neither speak their spiritual entities nor describe them *with* language, people have the obligation to name them, *in language*. For Benjamin, God guarantees the faculty of naming. He argues that a problem began with the introduction of semiotics, i.e., the "bourgeois" concept of language, according to which "language communicates something other than itself," which is instrumental.[9] This discussion fades into outlining an ontology — a hierarchy of being — using narratives from the first few chapters of Genesis.

The second argument, which is not as explicit as in the Buber letter, is

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6. Rainer Rochlitz, *The Disenchantment of Art: The Philosophy of Walter Benjamin*, tr. by Jane Marie Todd (New York: Guilford Press, 1996), p. 12.

7. Walter Benjamin, "On Language as Such and the Language of Man," in *Reflections: Essays, Aphorisms, Autobiographical Writings*, ed. by Peter Demetz, tr. by Edmund Jephcott (New York: Harcourt Brace Jovanovich, 1978), p. 314.

8. *Ibid.*, p. 317: "The linguistic being of things is their language; this proposition, applied to man, means: the linguistic being of man is his language. Which signifies: man communicates his own spiritual being in his language. However, the language of man speaks in words. Man therefore communicates his own spiritual being (insofar as it is communicable) by naming all other things. . . . It is therefore the linguistic being of man to name things."

9. James McBride, "Marooned in the Realm of the Profane: Walter Benjamin's Synthesis of Kabbalah and Communism," in *Journal of the American Academy of Religion*, Vol. 57, No. 2 (Summer 1989), p. 259.

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that, because of their priviledged status, people have a mediated access to an unmediated pure language, which in turn guarantees objectivity and moves them beyond the moral realm of "good" and "evil" into one of absolute communion with the whole of Creation. This, of course, is the essence of mysticism. In this second argument, Benjamin's cabalistic inspirations surface, for the essence of cabalistic teachings is that divine language is "'enfleshed' in the material community of existence."[10] In a key passage, Benjamin inveighs against a positivistic semiotics, i.e., a false magic which degrades language to a mere tool and reifies itself as a barrier to true reality.[11] Such scientistic renderings (*à la* de Saussure) squash that element of language which moves animate objects and enlivens the inanimate. In short, Benjamin criticizes the reduction of the active and creative power of speech — in particular, of naming — to empiricism. If language is mere motion, and if it only signifies something other than itself in its pure nature, then not only is its essence forbidden, but the ability to act in the world — *in language* — is limited.

In addition to the magic of language, "On Language as Such" contains two more references to magic. The first occurs in a description of the development of morality, which involves the (illusory) Fall from Adamite or naming language. The "mute magic of nature" that naming receives from the divine language of God continues His creative

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10. *Ibid.*, p. 259. Cf. Daniel C. Matt, *The Essential Kabbalah: The Heart of Jewish Mysticism* (Edison, N. J.: Castle Books, 1997). The Hebrew "cabala" literally means "that which has been received" from God, and the job of the mystic is to "shoulder the burden of messianism which . . . will restore the cosmos" by interpreting the language of things — a language which is a mimetic copy — a sullied semblance — of the divine Word. *Ibid.*, p. 245. See Matthew I. Cabala becomes an indirect road to divine language, which is metaphorically described as the restoration of a "vessel" that has been broken by God's "light." Benjamin refers to the metaphor of the broken vessel years later, in his introduction to his translation of Baudelaire's *Tableaux Parisiens*. See Benjamin, "Task of the Translator," in *Illuminations*, *op. cit.*, p. 78. Drawing on de Certeau, de Vries terms this argument the "anti-Babel." In "Mystic Speech" de Certeau remarks that "Mysticism is the anti-Babel. It is the search for a common language, after language has been shattered. It is the invention of a 'language of the angels' because that of man has been disseminated." See Michel de Certeau, *Heterologies: Discourse on the Other*, tr. by Brian Massumi (Minneapolis: University of Minnesota, 1986), p. 88.

11. "All language communicates itself. Or more precisely: all language communicates itself *in itself*; it is in the purest sense the 'medium' of the communication. Mediation, which is the immediacy of all mental communication, is the fundamental problem of linguistic theory, and if one chooses to call this immediacy magic, then the primary problem of language is its magic. At the same time, the notion of the magic of language points to something else: its infiniteness . . . [since] what is communicated in language cannot be externally limited or measured." See Benjamin, "On Language as Such," *op. cit.*, p. 316.

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action.[12] This use of magic is consistent with Benjamin's description of a realm in which language is without words, i.e., a silent "magical" realm. The second mention concerns a "magic" different from the immediate communication of pure language.[13] Here Benjamin prefigures a new kind of magic, which pertains to the external — the "parody" of the language of things communicating to themselves. Knowledge of things resides in name, whereas knowledge of good and evil is "prattle" (in Kierkegaard's sense) and knows only one elevation, to which the prattling man, the sinner, submits: judgment. That people *can* judge presupposes something extra-linguistic, i.e., a semiotics rooted in an ethics. This external, non-naming and judging language has "a magic . . . different from that of name, but equally magical." Its magic is the *creation* of the "sign," and in turn a Babylonian world of exteriority that strives endlessly to return (beyond judgment, which later becomes "the law") to the magical, mute realm of pure language. Judgment and sign are "equally" magical because they create *ex nihil* an obfuscating system — in mockery, as it were, of God's divine, creative Word.

In sum, in the Buber letter and in "On Language as Such," magic is used in three distinct senses. The first is language magic, i.e., the expressive *quality* of pure language (or language stripped of its "undignified" elements), and by extension, the related *effect* this quality has on people. When he writes that he can "understand writing as such as poetic, prophetic, objective in terms of its effect, but in any case only as *magical*, i.e., as unmediated," Benjamin underscores an essential feature of language: the mysterious fountainhead of divinely inspired action. This quality of language is often unnoticed, because it is continuously mediated by the tendency to treat language as a mere means. Further, Benjamin's characterization of this magical "effect" as "prophetic" points to a fundamental ambiguity: an undefinable (and ultimately unutterable) secret resource of pure meaning, which is invoked in the more creative meditations on language. Perhaps it was necessary to articulate this essentialist notion of magic in order to avoid playing into the instrumentalist notions of language he was criticizing. The desired goal of "leading up to the ineffable" in the Buber letter is an intuition of the "objective, perhaps even divine nature of reality." In "On Language as Such," this goal is pursued by

12. *Ibid.*, p. 325.

13. *Ibid.*, p. 327. "Knowledge of good and evil abandons name, it is a knowledge from outside, the uncreative imitation of the creative word. Name steps outside itself in this knowledge, from what we may call its own immanent magic, in order to become expressly, as it were, externally, magic."

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regarding magic as that quality which escapes semiotic treatment. Thus, this is not an instrumental result of language usage (i.e., an anthropomorphism), but the essence of language.

The second use of magic is related to the first, but introduces a spatial element. This kind of magic concerns the inarticulate — the space internal to language in which material reality communes with itself *in* language. Finally, Benjamin sketches a *false magic*, premised on the naming of something outside of language: initially, good and evil. The Fall is when people obtained the knowledge of affirmation and negation; it also speaks to the fall from a privileged Adamite language into human language that reaches externally to make humans into pseudo-creators. This false magic is constructive, since it creates meanings *ex nihil*, distinguishing this from that, but it also negates nature, paradoxically turning against the gift of naming. Babel is constructed, and humanity is distracted from Creation by trying to reach the essence of reality from without. This false magic is what alienates humanity from the Godhead, and from which humanity must be liberated.[14] Neither semiotics nor "naïve mysticism" — a "theory of language according to which the world would be identical with the essence of a thing"— can liberate humanity. Rather, only an "infinitely differentiated process of translation and elevation" will return it to the magical, silent realm of pure language[15] — a procedure explicitly outlined, *sans* magic, in the 1920s' writings.

Fairy Tales and Auras

In the middle period (roughly from 1920s to 1930), magic is virtually absent in Benjamin's major works. It reappears only in his late period (from 1930 to his death), when he no longer seems to speak of immediacy, but only of corporeal and abstract "distance." In short, magic becomes a spatialized term located in a past experience of distance from objects of art (aura), which paves the way for Benjamin's gradual turn toward history. This shift also parallels his gradual move away from an obsession with language to immanent criticism of discrete objects and artistic forms. Magic no longer has a linguistic connotation. Rather, it is used to describe relations of individuals to discrete objects, prefiguring Benjamin's turn to materialism.

The change in the use of magic can be seen in an October 1935 letter

14. Rochlitz, *The Disenchantment of Art*, *op. cit.*, p. 12.
15. De Vries, "Anti-Babel . . ." *op. cit.*, pp. 456-57.

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to Werner Kraft, written while working on the *Arcades Project* and "The Work of Art": "I am busy pointing my telescope through the bloody mist at a mirage of the nineteenth century that I am attempting to reproduce based on the characteristics it will manifest in a future state of the world, liberated from magic."[16] This can be read against his use of magic in "The Storyteller," which appeared at the same time as "The Work of Art": "The liberating magic which the fairy tale has at its disposal does not bring nature into play in a mythical way, but points to its complicity with liberated man. A mature man feels this complicity only occasionally, that is, when he is happy; but the child first meets it in fairy tales, and that makes him happy."[17] At first glance, these uses of magic seem contradictory. In the Kraft letter, magic is derided as a harmful mythical throwback; in "The Storyteller," it describes the emancipatory quality of the decaying, *epic* form of fairy tales. What is involved here is a true and false magic, the former, a resurfacing of the magic *experienced as magic*, i.e., magical effects; the latter is now the false magic of mysticism, which subsumes the metaphysical "magical realm" of pure language as well as the essentialized *quality* of magic inherent to pure language in the early writings. In short, the early "false magic," which sees the Fall from Adamite language as illusory, becomes a true magic that denies *esotericism* and venerates *exoteric* redemption.[18]

To be sure, "The Storyteller" was written after "The Work of Art," and thus can be read as revealing "the messianic goal of the future aesthetic" outlined in the latter.[19] Moreover, central to the program in "The Storyteller" is death, which only makes sense in relation to the role of magic in "The Work of Art."

In "The Work of Art," Benjamin remarks that questioning the dialectical interplay between perception and technology is valuable, for it helps to "brush aside a number of outmoded concepts, such as creativity and genius, eternal value and mystery — concepts whose uncontrolled (and at present almost uncontrollable) application would lead to a processing of data in the Fascist sense."[20] Read in the context of the time, it is understandable why magic (associated here with mystery and eternal

16. Benjamin, *The Correspondence . . ., op. cit.*, p. 516.
17. Benjamin, "The Storyteller," in *Illuminations*, *op. cit.*, p. 102.
18. Richard Wolin, "Walter Benjamin," in *An Aesthetics of Redemption* (Berkeley: University of California, 1994), pp. 202-03.
19. Bernd Witte, *Walter Benjamin: An Intellectual Biography*, tr. by James Rolleston (Detroit: Wayne State University Press, 1991), p. 164.
20. Benjamin, "The Work of Art," *op. cit.*, p. 218.

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value) was central among them.

Magic appears twice in "The Work of Art": first, in relation to the aura; second, in an analogy between the magician and the painter, in contrast to the surgeon and the cameraman. In regard to the former, Benjamin says: "The uniqueness of a work of art is inseparable from its being embedded in the fabric of tradition. This tradition itself is thoroughly alive and extremely changeable. . . . Originally the contextual integration of art in tradition found its expression in the cult. We know that the earliest art works originated in the service of a ritual — first the magical, then the religious kind. It is significant that the existence of the work of art with reference to its aura is never entirely separated from its ritual function."[21] In an endnote, he explains that the definition of "aura as a 'unique phenomenon of distance however close it may be'" refers to a distance grounded in the abstract stretch of time from which one regarded a work of art in ancient societies.[22]

Aura was the envelope of a work of art's authenticity — a kind of magic which, e.g., singled out a statue of Athena as one of a kind, as a sort of naming distinguishing it from other statues (and other deities). The worship of the object of art paid homage to its cult, ritual, and original use value. Such reverence for aura indicated an occulted knowledge — an esoteric kind of worship only known to the cult. As with the fascist call for the politicization of art, the maintenance of aura refers to an attempt to safeguard the mysterious origins of a work of art, the mystifications that impart ritual value to art and seek to keep it unapproachable. Benjamin further explains the relation between magic and aura in the analogy between the magician and the painter.[23] The magician is a crude personification of the aura. He is occult, secret, distant, and "hidden in the medical practitioner," while the surgeon "penetrates into" his patient. Likewise, the painter "maintains in his work a natural distance from reality," while the "cameraman penetrates deeply into its web." Magic here is clearly false.

In contrast to the auratic magic of "The Work of Art," the fairy tale's liberating magic discussed in "The Storyteller" is the *effect* of an epic form that escapes death, which Benjamin suggests is the central tropic

21. *Ibid.*, p. 224.
22. *Ibid.*, p. 243n.
23. *Ibid.*, p. 233: "How does the cameraman compare with the painter? To answer this we take recourse to an analogy with a surgical operation. The surgeon represents the polar opposite of the magician. The magician heals a sick person by the laying on of hands; the surgeon cuts into the patient's body. The magician maintains the natural distance between the patient and himself; though he reduces it very slightly by the laying on of hands, he greatly increases it by virtue of his authority. The surgeon does exactly the reverse."

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device of myth. He argues that the fascists' use death to violate the "masses" and "force them to their knees." Considering the mythic function of death, "The Storyteller" can be read as contraposing the mystical to the materialist in "The Work of Art" — but only insofar as this mysticism is understood metaphorically, as the possibility of the continuation of collective memory and the overcoming of generational barriers. Epic form is a melody that resists empirical death, but harmonizes with the clanging of mechanical reproduction, which remains distinct. Witte claims that such compositional motives explain the use of the "biblical image of Jacob's ladder,"[24] which Benjamin describes as "a ladder extending downward to the interior of the earth and disappearing into the clouds" — "the image for collective experience to which even the deepest shock of every individual experience, death, constitutes no impediment or barrier."[25] Hence, the storyteller "has borrowed his authority from death" only to escape it in the successive transmission of the story by other storytellers.

The "liberating magic" of the fairy tale, then, is its ability to escape the threat of empirical death. Benjamin later admitted the inescapability of empirical/material death with the figure of the angel of history, who "would like to stay, awaken the dead, and make whole what has been smashed."[26] Yet, he still sought to escape the imminence of death characteristic of natural history with some aesthetic form (variously the "dialectical image," "epic theater," the "fairy tale," etc.). Here, the link is the sense of death in Thesis XII. The failure of Social Democracy had to do with its conflation of the liberating magic of the epic form with the false magic of a forward-looking future-death.[27] The "goal" of Benjamin's theses is to aspire to the formal magic characteristic of storytelling that reduces "many forms of storytelling," in conjunction with an "interaction with history," into "one integral prose, which is what messianically liberated history actually is," i.e., a history that escapes the imminent deaths or the progressive machinations of linear time that finalize past events.[28] For

24. Witte, *Walter Benjamin*, *op. cit.*, p. 165.

25. Benjamin, "The Storyteller," *op. cit.*, p. 102.

26. Benjamin, "Theses on the Philosophy of History," in *Illuminations*, *op. cit.*, p. 257. Cf. Rolf Tiedemann, "Historical Materialism or Political Messianism? An Interpretation of the 'Theses on the Concept of History'," in Gary Smith, ed., *Benjamin: Philosophy, History, Aesthetics* (Chicago: University of Chicago Press, 1989), p. 181.

27. *Ibid.*, p. 260: "Social Democracy thought fit to assign the working class the role of the redeemer of future generations, in this way cutting the sinews of its greatest strength. This training made the working class forget both its hatred and its spirit of sacrifice, for both are nourished by the image of enslaved ancestors rather than that of liberated grandchildren."

28. Witte, *Walter Benjamin*, *op. cit.*, p. 167.

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Benjamin, formal repeatability is a "witness to death" only insofar as the death witnessed is mythic — an empirical feature, a substance, a finality. Consequently, it is wrong to conflate epic form and film, since it is the empirical contents of these two modes that Benjamin works into a dialectic; their form is analogic, but certainly not the same. [29]

The tradition that cannot be outstripped in "The Storyteller" is not the cultic value of art spoken by its auratic authority, which at this point is false magic, but the lineage of storytellers and their "counsel" in generationally transmitted stories, their intersection with *real people*. Benjamin later articulated a similar logic when discussing the apprehension of the object of art (as well as the object of the past) as "monadic," for "in the monad everything that used to lie in mythical rigidity as a textual reference comes alive."[30] Witte and others misinterpret "The Storyteller" as a "return to the mystical" by failing to note Benjamin's uses of magic. In "The Work of Art," Benjamin expressly condemns the magic of the aura as too easily processed as fodder for fascist propaganda.[31] Benjamin's rendering of magic here parallels his usage in "On Language as Such," which condemned the positivistic treatment of language, because it reduced the world to mere "motion" without action. However, the dramatic inversion that takes place in "The Storyteller"[32] and "The Work of Art," is that the immanent, metaphysical magic of pure language *there* is transformed into

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29. Christopher Swift has argued that Benjamin does not advocate a return to the form of storytelling in this essay, but wishes to say something about its desirable formal features. See "Benjamin as Spellbinder," a paper presented at the Annual Meeting of the National Communication Association (Nov. 1999), Chicago, IL. Key among these features is the need for a vision of life that does not die, but continues in the body of a people in immanent time — at least read through the lens of Benjamin's "Theses on the Philosophy of History." This blurs the line between form and content: "I might have to choose a different starting point for my reflections. I started from the unfruitful debate on the relationship between tendency and quality in literature. I could have started from an even older and no less fruitful debate: what is the relationship between form and content, particularly in political poetry." See Benjamin, "The Author as Producer," in *Reflections*, *op. cit.*, pp. 221-222.

30. Benjamin to Adorno, in *The Correspondence*, *op. cit.*, p. 137.

31. Benjamin, "The Work of Art," *op. cit.*, p. 218. In "The Storyteller" he maintains that Leskov's legendary characters are similar to Philemon and Baucis of Taoist legend, whom Ernst Bloch describes as "magically escaped though in natural repose." See Benjamin, "The Storyteller," *op. cit.*, p. 103. Benjamin takes Bloch's "magically escaped" phrase to mean "magically escaped from nature," or "death" — an overcoming of imminent ends.

32. In "The Storyteller" Benjamin remarks that "an orientation toward practical interests is characteristic of many born storytellers. . . . All this points to the nature of every real story. It contains, openly or covertly, something useful. The usefulness may, in one case, consist in a morale; in another, in some practical advice; in a third, in a proverb or maxim. In every case the storyteller is a man who has counsel for his readers." *Ibid.*, p. 86.

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the liberating, and *instrumental* magic of epic form *here.*

Further, in "The Work of Art" Benjamin notes that "mechanical reproduction emancipates the work of art from its parasitic dependence on ritual." In so doing, it can become an instrument of something external to it: "the instant the criterion of authenticity ceases to be applicable to artistic production, the total function of art is reversed. Instead of being based on ritual, it begins to be based on another practice — politics."[33] Because it is a reproducible form, film falls prey to the false magic of aura in the "spell of personality" — "the phoney spell of a commodity."[34] Yet it can be used for practical, potentially liberating ends as well. Its power is *not* analogous to the *content* of storytelling, but lies in the conditions of its production, paving the way for the revelations necessary to uncover utopian visions.

The pragmatic tincture of these two essays meant a rejection of "unmediated" realms of purity to which one must strive for redemption, and an inversion of the false magic Benjamin originally condemned. The "magical realm" of pure language has become a *false* distant realm — a mythic, auratic abode to be rejected. The notion of magic as something that would make aura an essential feature of a work of art turns out to be a mere *relation* to art; its cultic authority lacks content. All that remains magic for Benjamin is effect. At this point, power is wrested from a distant God and given to the oppressed for the express purpose of liberation. That power becomes, in effect, a secular truth magic.

The Death of Magic in "Theses on the Philosophy of History"

Through the concept of history that Benjamin deploys in his final essay, true magic denies death in "flashes" of the past, which he regards as a pragmatic necessity for revolution. To understand the sense of magic in "Theses on the Philosophy of History," it is necessary to clarify what Benjamin means by theology. Along with "remembrance" and "flash," "theology" is his last articulation of a "correct" magic.

In "Theses,"[35] Benjamin's concept of history stresses the need to keep the past alive within the present, to resurrect the dead as a pragmatic

33. Benjamin, "The Work of Art," *op. cit.*, p. 224.

34. *Ibid.*, p. 231.

35. Benjamin, "Theses on the Philosophy of History," *op. cit.*, p. 261, No. XIV: "History is the subject of a structure whose site is not homogeneous, empty time, but time filled by the presence of the now. . . . Fashion has its flair for the topical, no matter where it stirs in the thickets of long ago; it is a tiger's leap into the past. This jump, however, takes place in an arena where the ruling class gives the commands. The same leap in the open air of history is the dialectical one, which is how Karl Marx understood revolution."

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means for motivating action. Tiedemann notes that this is not how Marx understood revolution: "For Marx there is no 'open' air of history . . ." Rather, "Benjamin is about to leap out of historical materialism into the realm of political Messianism where nothing can be done. Since he can no longer perceive in social reality the 'material condition of existence' for possible change, Benjamin concludes that 'the classless society . . . is not the final goal of historical progress, but the ultimate success of the often-frustrated attempts to interrupt it."[36] But in the realm of Messianism, like in the magical realm of pure language, the "time" present within it *does not interfere with history.*[37] In fact, even "Messianic time" *does not really exist.* Rather, it is a *useful trope* that underscores the need for a sense of suffering, incompleteness, and anticipation of change (the overcoming of which is the goal of "happiness," not God's kingdom). Hence, the use of theological tropes (including Messianism) is a resurrection of magic as a rhetorical effect, but not in any divine sense. It is purely instrumental.

By means of his expressly immanent, heterogeneous, non-linear, and discontinuous concept of time, Benjamin avoids a religious understanding of theology, and, by extension, of magic. Steeped in prophecy and imminent ends (the coming of the Messiah for Jews, or his apocalyptic return for Christians), religious time is the progressive time Benjamin condemns as "not adhering to reality."[38] Combined with historicist renderings of the past, it leads to a destructive, barbaric kind of historicism.[39] Rather, Benjamin's theological tropes are descriptions of the magic necessary for change. Key to the program of correct magic implicated in "Theses on the Philosophy of History" is the sense of immanence and "theology." Also significant is the fundamental role afforded to death — for death is what theology and immanent time help to overcome magically.

That Benjamin is not dealing with a religious understanding of theology can be seen in his strange alignments of death with "completeness" and "happiness." In his essay on Eduard Fuchs, the notion of incompleteness is tied to his concept of history. Tiedemann refers to Benjamin's most direct statement of the subject in a draft of the *Arcades Project*: "The corrective

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36. Here Tiedemann refers to Volume I of Benjamin's *Gesammelte Schriften.*

37. Elsewhere, Benjamin says: "Only the Messiah himself consummates all history, in the sense that he alone redeems, completes, creates its relation to the Messianic. For this reason nothing historical can relate itself on its own account to anything Messianic. Therefore the Kingdom of God is not the *telos* of the history dynamic; it cannot be set as a goal." See "Theologico-Political Fragment," in *Reflections*, *op. cit.*, p. 312.

38. *Ibid.*, p. 260, no. XII.

39. *Ibid.*, p. 256, no. VII.

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of this line of thought lies in the reflection that history is not only a science, but equally a form of remembrance. What has been 'established' by science can be modified in remembrance. Remembrance can make the incomplete (happiness) complete, and render the complete (suffering) incomplete. That is theology; but remembrance gives us an experience which forbids us to regard history completely without theology, any more than we should record it directly in the form of theological concepts."[40] Benjamin does not mean to deny Horkheimer's materialist rendering of "the dead," for certainly dead people are dead.[41] But Horkheimer picks up on Benjamin's intent: an overly empirical "dead" past forecloses any promise of change, inasmuch as "happiness" excludes pangs of a need for change in its contented completeness. Such a notion of completeness plays into historicist renderings of the past which proceed homogeneously and collect in "empty time."[42] Thus, Benjamin's corrective is theology. Tiedemann remarks that the "fact that the theorem [*sic*] of the incompleteness of the work of the past is theological is . . . no basis for criticism. On the contrary, it is an element which, in a sense, historical understanding cannot do without."[43] Tiedemann continues that "whenever Benjamin's language invokes anew the theological origin of Marxist concepts, the secularized content of these ideas is always maintained."[44] The angel, the Messiah,

40. Tiedemann, "Historical Materialism . . . " *op. cit.*, p. 181. According to Tiedemann, "Historical materialism may find the concept of culture itself problematic, but it could never accept the idea of culture's degeneration into commodities, as an object of human ownership. For historical materialism the work of the past is incomplete. Not even a part of the work of any epoch is seen as an object which falls conveniently into one's lap."

41. Horkheimer says to Benjamin: "I have long been thinking about your question of whether the work of the past is complete. Your formulation can certainly stand as is. I have but one personal reservation: that I think this is a relationship only to be perceived dialectically. The pronouncement of incompleteness is idealisitic if it does not incorporate completeness as well. Past injustice is done and finished. Those who have been beaten to death are truly dead. Ultimately you are making a theological statement." In Tiedemann, "Historical Materialsim or Political Messianism?" *Ibid.*, p. 181.

42. Benjamin, "Theses on the Philosophy of History," *op. cit.*, p. 261, No. XIII.

43. Tiedemann, "Historical Materialism . . . " *op. cit.*, p. 182.

44. *Ibid.*, p. 188. In a way, Benjamin seems to want to preserve the tension highlighted by Horkheimer. The "pronouncement of incompleteness is idealistic if it does not incorporate completeness as well." While death is a material fact, it must be metaphorically overcome by keeping the past alive in the present, yet the empirical deaths should not disappear (the distinction is simply that "overcome" or "cheat" does not mean "erase"). The redemption of the past is a dialectical magic. The political content that motivates *action* is not only vouchsafed by the emotional tincture (anticipation, vindication) of theological rhetoric, but also by the substantive revelation, ushered into social consciousness that the graves of one's ancestors are not being desacrated.

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and the antichrist are allegorical images that represent something different: a correct magic that works against an empirical understanding of death.

In "Theses on the Philosophy of History," Benjamin is concerned primarily with *language*, but only in the broad metaphorical sense expressly denied in his earliest writings on pure language. In this metaphorical sense, the past must be rendered in lively representations to "blast" it out of the oppressor's "continuum of history." He attempts to sketch a method that makes this possible — one that is not syllogistic or "rational," but rather imagistic, coinciding with his interest in photographic and filmic representation. The call for "remembrance" in the *Arcades Project* and in portions of "Theses on the Philosophy of History" is a call for an active, reconstructive memory, which represents the past in images, as if the dead were still alive, helping the "working class" to remember their "hatred" and to vindicate their interred ancestors.

In a passage Benjamin omitted from the final draft of the "Theses," remembrance appears in connection with magic. In this passage (marked "B"), remembrance is a site for correct magic.[45] He appeals to the notion of "tradition" introduced in "The Storyteller," which overcomes mythic death through the passing of stories. Like Jacob's ladder extending upward in the clouds, tradition can only be "seen" with an eye toward its origin in the past. Only by looking backward can one intuit what is to come.[46] The only direct mention of magic in the "Theses" appears in this omitted section, and its use is in the false sense: in the theses that precede it, every mention of progressive time, linear time, time that has a "future" toward which it aims, is mistaken and lacks any "theoretical armature."[47] The seer is a negative, mythic figure, since those who seem to succumb to the magic of the future are those who turn to the soothsayers for guidance; the soothsayers are the antitheses of the redemptive angel of history who seeks with a "weak messianic power" to locate utopian glimpses and prophetic revelations in the past by penetrating the "bloody mist" of the historicist's telic version of history. There is no mention of true magic anywhere. There is no longer any positive use for magic.

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45. Benjamin, "These on the Philosophy of History," *op. cit.*, p. 264: "The soothsayers who found out from time what it had in store certainly did not experience time as either homogeneous or empty. Anyone who keeps this in mind will perhaps get an idea of how past times were experienced in remembrance — namely, in just the same way."

46. *Ibid.*: "We know that the Jews were prohibited from investigating the future. The Torah and the prayers instruct them in remembrance; however, this stripped the future of its magic, to which all those succumb who turn to the soothsayers for enlightenment."

47. *Ibid.*, p. 262.

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Why has Benjamin dropped the positive sense of the term? The reason has to do with the debate between Benjamin and Adorno in a series of letters prior to the essay's composition. More specifically, magic is excluded because of Adorno's critique of Benjamin's magical tropes, which he incorrectly aligned with "mysticism." In a March 1936 letter regarding "The Work of Art," Adorno remarks: "In your earlier writings, of which your present essay is a continuation, you differentiated the idea of the work of art as a structure from the symbol of theology and from the taboo of magic. I now find it disquieting . . . that you casually transfer the concept of magical aura to the 'autonomous work of art' and flatly assign to the latter a counter-revolutionary function. I need not assure you that I am fully aware of the magical element in the bourgeois work of art. . . . However, it seems to me that the centre of the autonomous work of art does not itself belong on the side of myth — excuse my topic parlance — but is inherently dialectical; within itself it juxtaposes the magical and the mark of freedom. If I remember correctly, you once said something similar in connection with Mallaré . . . ." Adorno continues by suggesting that wrestling with the "technical laws of autonomous art" opens it to a "state of freedom, something that can be consciously produced." The "autonomy of the work of art," he continues, "and therefore its material form, is not identical to the magical element in it."[48]

In light of Benjamin's romantic vision of filmic representation (the ability of film to exhibit its means of production), Adorno's criticism makes sense, especially insofar as Adorno had avant-garde art in mind.[49] Yet, it is also clear that Adorno is conflating the many senses in which Benjamin employs "magic," reducing Benjamin's understanding of magic to the very kind of false magic Benjamin condemned. Benjamin does not reject Adorno's criticism. He only doubts the possibility of such a procedure in the context of the bourgeois "art for art's sake." Moreover, at this point, Benjamin no longer believed in an essential kind of magic; in "The Work of Art," he only describes the perception of the autonomous art object as containing a "magical element" for others *in the past*, whereby the aura is really only a relational concept. False magic turns the aura into a quality of the art object.

For Benjamin, the "material form" of an object "is not identical to the

48. "Theodor Adorno: Letters to Walter Benjamin," in *Aesthetics and Politics*, tr. and ed. by Ronald Taylor (New York: Verso, 1977), pp. 121-123.

49. As the introduction to the debate in Benjamin, *The Correspondence*, points out in "Presentation III," in *Aesthetics and Politics*, *op. cit.*, pp. 106-7.

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magical element in it," for the object *contains no real magical element.* Adorno further betrays his misunderstanding when he later accuses Benjamin's 1938 study of Baudelaire as being "located at the crossroads of magic and positivism."[50] What was at issue here was Adorno's accusation that Benjamin's "dialectics lack mediation." In effect, Adorno uses Benjamin's magical tropes against him, employing their common connotations to accuse Benjamin of magical positivism and mysticism — labels Benjamin would have denied. Thus, because Benjamin wanted to escape the "mystic" label, he abandoned the term "magic."

Yet, there is an implicit positive force of magic in the "Theses," in the concept of "flash." In Thesis V, Benjamin writes that the right approach to the past is to conceive of it as a momentary "flash." [51] This is consistent with, e.g., the Buber letter, where Benjamin describes a "magic flash" traveling between the "word" and the "motivating deed," a description of the suasive dimension of language.[52] Here, language may be seen as the highest level of mimetic behavior and the most complete archiver of nonsensuous similarity: a medium into which the earlier powers of mimetic production and comprehension have passed without residue, to the point where they have liquidated those of magic.

Crucial here is not what the flash means in regard to mimesis, but its relation to magic. Both in the Buber letter and in "On the Mimetic Faculty," flash is described as a positive magical effect of something (either pure language or a mimetic element in it), the power of something leaping to something else, and then disappearing. In the "Theses," flash is used in a similar sense. The flash of the past, however, is magic only insofar as it provides a fleeting glimpse of the whole of social relations contained within it, and only insofar as that brief glimpse makes an impression that is not lost. That this is *not lost* at all is the correct magic called for, and the effect of its being a fleeting flash is effectively *magical.*

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50. Benjamin, "Adorno to Benjamin," *op. cit.*, p. 129.

51. Benjamin, "Theses on the Philosophy of History," *op. cit.*, p. 253: "The past can be seized only as an image which flashes up at the instant when it can be recognized and is never seen again. . . . For every image of the past that is not recognized by the present as one of its own concerns threatens to disappear irretrievably."

52. Benjamin, *The Correspondence*, *op. cit.*, p. 80. Another example is a short piece entitled "On the Mimetic Faculty": ". . . the mimetic element in language can, like a flame, manifest itself only through a bearer. This bearer is the semiotic element. Thus the coherence of words or sentences is the bearer through which, like a flash, similarity appears. For its production by man — like its perception by him — is in many cases, and particularly the most important, limited to flashes." See Benjamin, "On the Mimetic Faculty," in Reflections, *op. cit.*, pp. 333-336.

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At the end of his life, Benjamin reduced good magic to something thoroughly secular, or better, thoroughly human. False magic is anything that reeks of death, finality, distance, or secrecy. Correct magic is that which persuades people to act and, hence, is reduced to the effect stories of the past have on the oppressed, as well as the effect of the revelation of the possibility of action contained within those stories. Thus, what Benjamin eventually wanted was an imagistic theory of persuasive writing, a collection of discursive strategies that might compel the oppressed to revolt. How Benjamin's critique of progress and his new mode of historiography preserves the possibility of a radical political program remains unexplained. Nevertheless, however idealistic such a rhetoric may seem, Benjamin's insistance that this kind of corrective magic cannot happen in the shadow of death, and in turn, in the placing of one's hopes in succeeding generations, is persuasive. Only a change from a naturalistic concept of history to a more present "now-time" can motivate the oppressed to react to their abuse. Benjamin eventually concluded that only by pilfering the resources of theology (namely, *homiletics*) could the oppressed be persuaded to overcome the oppressors. That materialists need theology underscores an instrumentalism in direct conflict with Benjamin's early writings on language. This instrumental use of language, image, or form is a type of enchantment or spell — a magical rhetoric indeed.

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The Project of the Frankfurt School

Ben Morgan

Are Horkheimer and Adorno Obsolete?

In 1969, Max Horkheimer agreed to the publication of a second edition of *Dialectic of Enlightenment*. The paperback version sold over 70,000 copies, making it the most widely purchased (if not the most widely read) work of the Frankfurt School.[1] Despite this success, for many critics the book has aged. Jürgen Habermas has suggested that it was too constrained by the desire to understand German fascism: "We no longer share this mood, this attitude."[2] Terry Eagleton has also diagnosed a possible "overreaction to fascism,"[3] while Peter Hohendahl has concluded that Theodor W. Adorno's works can only be approached historically, by contextualizing them.[4] Thus, from a theoretical treatise, *Dialectic of Enlightenment* has become a historical document.

These historicizations are ambiguous. That Horkheimer's and Adorno's texts should be read in their historical context makes perfect sense. Indeed, it reiterates what the authors said about *Dialectic of Enlightenment* when they re-issued it: "the core of truth is historical, rather than an unchanging constant to be set against the movement of history."[5] At the

1. Willem van Reijen and Gunzelin Schmid Noerr, *Vierzig Jahre Flaschenpost: 'Dialektik der Aufklärung' 1947 bis 1987* (Frankfurt a. M.: Fischer, 1987), p. 7.
2. Jürgen Habermas, *The Philosophical Discourse of Modernity: Twelve Lectures*, tr. by Frederick Lawrence (Cambridge: Polity, 1987), p. 106.
3. Terry Eagleton, *The Ideology of the Aesthetic* (Oxford: Blackwell, 1990), p. 358.
4. For Hohendahl's overview of recent approaches to Adorno's work, see Peter Uwe Hohendahl, "Approaches to Adorno: A Tentative Typology," in *Prismatic Thought: Theodor W. Adorno* (Lincoln: University of Nebraska Press, 1995), pp. 3-20.
5. Theodor W. Adorno and Max Horkheimer, *Dialectic of Enlightenment*, tr. by John Cumming (London: Allen Lane, 1973), p. ix.

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same time, the claim that a text is out-of-date can also conceal a hidden agenda, as Adorno suggested in relation to Ibsen's *A Doll's House*. It can mask an unwillingness to confront disappointed hopes — those hopes articulated by a text, but that, despite their worth, are not subsequently realized: "Only what failed is outdated, the broken promise of a new beginning."[6]

Habermas' changing responses to Adorno's work can be read as tracing just this process of disappointment. In a 1969 obituary, Habermas praised "the underlying childishness" informing Adorno's critique of society: "Adorno never accepted the alternative of staying a child or becoming an adult. . . . He always retained a layer of early experiences and attitudes."[7] While this childish sensitivity had its price, leaving Adorno peculiarly vulnerable *vis-à-vis* institutions, it provided the analyses with critical substance. Habermas' later critique of *Dialectic of Enlightenment* cast the child's sensibility no longer as a virtue, but as one of the text's central flaws. In the 1980s, Habermas sees this quality as the illicit exporting to other types of discourse of an attitude (now dubbed dandyish hypersensitivity) only proper to art.[8] Where the earlier Habermas saw a social critique inspired by lingering childhood attitudes, the later Habermas sees an unproductive aestheticization of theory, even if one can understand how it came about in the drastic circumstances of the 1940s.

During the 1970s, Habermas lost sympathy with Adorno's ideas, and developed a contextualizing argument to break with their informing impulses and to put them in their historical places. This is not the only response imaginable. In his 1929 essay on surrealism, Walter Benjamin's comments on outmodedness suggest a more sympathetic approach to aging impulses. There, Benjamin credits André Breton with an "extraordinary discovery": "He was the first to perceive the revolutionary energies that appear in the 'outmoded'."[9] By switching from a purely historical to a political perspective, Breton learned to read relics from the past as ciphers of human misery.[10] He learned to see the curlicues and ornaments of wrought iron or past fashions as both forms of political

6. Theodor Adorno, *Minima Moralia: Reflections from Damaged Life*, tr. by Edmund F. N. Jephcott (London: Verso, 1974), p. 93 (§ 57).

7. Jürgen Habermas, "Theodor W. Adorno. Urgeschichte der Subjektivität und verwilderte Selbstbehauptung," in *Politik, Kunst, Religion: Essays über zeitgenössische Philosophen* (Stuttgart: Reclam, 1978), pp. 36-37.

8. Habermas, *The Philosophical Discourse of Modernity*, *op. cit.*, pp. 128-29.

9. Walter Benjamin, *One-Way Street and Other Writings*, tr. by Edmund F. N. Jephcott and Kingsley Shorter (London: Verso, 1979), p. 229.

10. Benjamin, *One-Way Street*, *op. cit.*, p. 230.

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constraint and markers of unfulfilled longings. In Benjamin's view, this suggestive blend of longing and disappointment can be retrieved by submitting to the discipline of a dialectical double-vision and reconnecting the outmoded objects with the aspirations they originally articulated that can otherwise only be glimpsed in moments of surreal epiphany.[11] Such a model of reading could be applied to the datedness of *Dialectic of Enlightenment*. The "heightened sensibility," which makes the book unconvincing for the later Habermas,[12] could be uncovered and re-articulated rather than merely being shown its historical place.

Fredric Jameson has similarly argued for a critical revitalization of Adorno's work, but without undertaking the emotional archaeology of the sort suggested by Benjamin. Jameson champions Adorno's thought as a form of Marxism peculiarly appropriate to postmodern society.[13] However, he re-actualizes it by breaking with the emotions that motivate it in a manner not unlike Habermas, as is evident in his treatment of the idea of "mimesis," one of the central concepts of *Dialectic of Enlightenment*. Horkheimer and Adorno use the term to collect a loose array of physiological, emotional, psychological and aesthetic impulses.[14] The term and its cognates are important, because they help Horkheimer and Adorno describe a particular psychological and emotional frame of mind, a pre-rational way of relating to the environment and to other people. For Jameson, the term can be translated into the vocabulary of narrative theory, just as for Habermas and Albrecht Wellmer it can be recast as a precursor of the ideal speech situation, and for Terry Eagleton as a form of Benjaminian allegory.[15]

All these re-workings of the term minimize its psychological and emotional content, and distance the reader from the uncomfortable charge of the book as much as the assertion that the text has aged. This need not be the case. In what follows the critical project will be re-articulated, with the concept of mimesis supplying the psychological substance, defined in such a way as to suggest how it can be built on 60 years later. Two things

11. *Ibid.*, p. 237.

12. Habermas, *Philosophical Discourse of Modernity*, *op. cit.*, p. 129.

13. Fredric Jameson, *Late Marxism: Adorno, or, The Persistence of the Dialectic* (London: Verso, 1990), pp. 11-12.

14. See Martin Jay, "Mimesis and Mimetology: Adorno and Lacoue-Labarthe," in *The Semblance of Subjectivity: Essays in Adorno's Aesthetic Theory*, ed. by Tom Huhn and Lambert Zuidervaart (Cambridge, MA: MIT Press, 1997), pp. 29-53, esp. 31-37.

15. Jameson, *Late Marxism*, *op. cit.*, pp. 66-67. Jürgen Habermas, *Theorie des kommunikativen Handelns* (Frankfurt a. M.: Suhrkamp, 1981), Vol. 1, pp. 522-24. Albrecht Wellmer, *Zur Dialektik von Moderne und Postmoderne: Vernunftkritik nach Adorno* (Frankfurt a. M.: Suhrkamp, 1985), pp. 20-21. Eagleton, *The Ideology of the Aesthetic*, *op. cit.*, p. 356.

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will become clear in the process. The first is that the shift that Horkheimer and Adorno undertake in *Dialectic of Enlightenment* should not be understood primarily as a move "toward the *aestheticization* of critical social theory."[16] The psychological and behavioral implications are more significant than the aesthetic. The second is that there is no need to be overly attached to Horkheimer's and Adorno's dialectics. On the contrary, their Hegelian constructions often obscure as much as illuminate the more fruitful aspects of their theoretical investigations.

The Development of the Project

The project Horkheimer and Adorno pursued in *Dialectic of Enlightenment* was a second best. It arose from a sense of speechlessness, and from the collapse of the program that Horkheimer set out in his inaugural lecture as director of the Institute for Social Research in 1931.[17] The Institute had been founded in 1924, when Felix Weil persuaded his father to donate money he had made trading Argentinean grain to establish a forum for Left-leaning discussion outside the strictures of the Communist Party, on the one side, and the academy, on the other.[18] As it developed under the leadership of the first director, Carl Grünberg, the institute primarily documented the history of the working class.[19] But as Horkheimer recollected in the 1940s, he, Weil and Frederick Pollock had more ambitious plans. They set themselves to save "Theory" (by which they meant the philosophically informed analysis of society). "Theory was in bad hands, and we three united to take it forward as independently and as uncompromisingly as was only possible for people with our specific background and education."[20] As Horkheimer explained in his inaugural address, he wanted the institute to be the platform for an interdisciplinary critique of society.[21]

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16. G. Frederick Hunter, "Introduction," in Max Horkheimer, *Between Philosophy and Social Science: Selected Early Writings*, tr. by G. Frederick Hunter, Matthew S. Kramer, and John Torpey (Cambridge, MA: MIT Press, 1993), p. ix.

17. See Martin Jay, *The Dialectical Imagination: A History of the Frankfurt School and the Institute of Social Research 1923-1950* (London: Heinemann, 1973). For a more detailed account, see Rolf Wiggershaus, *Die Frankfurter Schule: Geschichte, Theoretische Entwicklung, Politische Bedeutung* (Munich: Carl Hanser, 1986).

18. Wiggershaus, *Die Frankfurter Schule*, *op. cit.*, p. 26.

19. *Ibid.*, p. 41.

20. Max Horkheimer, *Gesammelte Schriften* Vol. 17, *Briefwechsel 1941-1948*, ed. by Gunzelin Schmid Noerr (Frankfurt a. M.: Fischer, 1996), p. 273. (Horkheimer to Felix Weil March 10, 1942)

21. Max Horkheimer, "The Present Situation of Social Philosophy and the Task for an Institute of Social Research," in *Between Philosophy and Social Science*, *op. cit.*, pp. 8-10.

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This critique would draw on the resources of existing academic disciplines such as sociology, economics, philosophy, psychology and history, and, by using the different disciplines to pinpoint which aspects of society were helping to move it in a more emancipated direction, would contribute directly to radical social change. For the Horkheimer of 1931, an example of one such beneficial tendency was the move toward planned intervention in the economy to be found even in capitalist societies.[22]

When he first set out this program, Horkheimer was still Marxist enough to believe that the working class would supply his theory with an agency able to realize it. In his 1923 essay on "Reification and the Consciousness of the Proletariat," Georg Lukács had provided a philosophical grounding to the idea that the proletariat enjoyed an epistemological privilege. In his argument, the working class experienced the atomizing, fragmenting, and dehumanizing force of commodity production literally on its body, and was, as a result, in a position to see through and to analyze its mechanisms with acuity not available to the bourgeoisie. Nevertheless, as Lukács insisted, there was no direct connection between this potential for insight and revolutionary action: "History is at its least automatic when it is the consciousness of the proletariat that is at issue."[23] Horkheimer was no great fan of Lukács.[24] Yet, the undogmatic brand of Marxism he espoused in the early 1930s also depended on the idea that the proletariat was the social agent from whose perspective the mechanisms of society could best be analyzed and evaluated.[25]

This faith in the proletariat did not last. In the early 1930s, the institute's psychologist, Erich Fromm, conducted an empirical study into the attitudes of German workers. The study's preliminary findings were that, for these groups, holding radical views was in fact a way of adopting to existing conditions, rather than a first step toward changing them. Paradoxically, radical views were a mindset that allowed workers to adapt to and to identify with a class society.[26] This study would not have been enough to challenge the proletariat's epistemological privilege, especially

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22. Preface to the first *Zeitschrift für Sozialforschung* (1932) reprinted in Max Horkheimer, *Gesammelte Schriften* Vol. 3, ed. by Alfred Schmidt (Frankfurt a. M.: Fischer, 1988), pp. 35-39.

23. Georg Lukács, *History and Class Consciousness*, tr. by Rodney Livingstone (London: Merlin, 1971), p. 208.

24. Wiggershaus, *Die Frankfurter Schule*, *op. cit.*, p. 67.

25. Max Horkheimer, "Materialism and Morality," in *Between Philosophy and Social Science*, *op. cit.*, pp. 15-47.

26. Wiggershaus, *Die Frankfurter Schule*, *op. cit.*, p. 135.

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since, because of the Third Reich, the study was never completed.[27] For Horkheimer and Adorno, the collaboration of the German working class with National Socialism, and the collusion of the American working class with the manipulative structures of mass culture undermined more directly the group's faith in the proletariat.[28] The Institute gradually abandoned the idea that the proletariat was the bearer of social critique, and began looking for another vantage point. For a brief period, reason seemed to harbor an image of a freer society against which the members of the Institute could measure present abominations.[29] However, Stalin's show trials, the escalation of anti-Semitic violence in the Third Reich, the outbreak of war, and, finally, in 1940, Benjamin's suicide, all conspired to make rationality resemble an instrument of barbarity, rather than critique. As they explained in the preface to *Dialectic of Enlightenment*, it no longer seemed possible to elaborate versions of sociology, philosophy, or psychology that could resist the propensity of academic discussion to reinforce existing social relations.[30] If they had previously viewed Enlightenment thought as a set of blameless principles which irrational social bodies had stopped applying, they began now to explore whether the principles were themselves implicated in the destructiveness of the society they sought to criticize. This meant investigating "the entwining of rationality with social reality."[31] The initial project had been replaced with an account of the practices from which rationality arises.

On one level, this continues the Marxist project in another guise, replacing the critique from the perspective of the proletariat with a materialist analysis of the ways of life that determines philosophical ideas. At the same time, however, the Marxist project has been modified. In Marx's model, philosophy is seen as a set of conceptual "sublimates" that "reflect" the material base. "We set out from real, active men, and on the basis of their real life-process we demonstrate the development of the ideological reflexes and echoes of this life-process. The phantoms formed in the

27. *Ibid.*, p. 146.

28. See Helmut Dubiel, *Wissenschaftsorganisation und politische Erfahrung: Studien zur frühen kritischen Theorie* (Frankfurt a. M.: Suhrkamp, 1978).

29. For a survey of this period of Frankfurt School thought, which draws particularly on Horkheimer's "Traditionelle und kritische Theorie," in *Gesammelte Schriften* Vol. 4, ed. by Alfred Schmidt and Gunzelin Schmid Noerr (Frankfurt a. M.: Fischer, 1988), pp. 162-216, see Richard Wolin, "Critical Theory and the Dialectic of Rationalism," in *New German Critique* 41 (Spring-Summer 1987), pp. 23-52.

30. Horkheimer and Adorno, *Dialectic of Enlightenment*, *op cit.*, pp. xi-xii.

31. *Ibid.*, p. xv.

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human brain are also, necessarily, sublimates of their material life-process, which is empirically verifiable and bound to material premises. Morality, religion, metaphysics, all the rest of ideology and their corresponding forms of consciousness are thus no longer independent. They have no history, no development; but men, developing their material production and their material intercourse, alter, along with this their real existence, their thinking and the products of their thinking."[32] For Horkheimer and Adorno, conceptual thought is not a mere echo of the material base, but a psychological practice. Theory, to use a phrase Adorno employed later in *Negative Dialectics*, is viewed as a "form of behavior."[33]

This practice-oriented version of conceptuality resembles that of Wittgenstein in his *Philosophical Investigations*, insofar as it also relates concepts back to the social forms which underlie communication (what Wittgenstein calls "customs (uses, institutions)," or, on a more general level, "the common behavior of mankind").[34] Horkheimer's and Adorno's version differs from Wittgenstein's in an important respect. Wittgenstein's theory externalizes psychology. The meaning of a state of mind is the practice associated with it. For the Wittgenstein of the *Philosophical Investigations*, there is no point considering the private intentions behind the practice. "It is what human beings *say* that is true and false; and they agree in the *language* they use. That is not agreement in opinions but in form of life."[35] While this approach prevents an overestimation of the individual's supposedly unique inner life, it deprives social critique of a standard by which to evaluate usage, and to distinguish good practices from others that are psychologically damaging. This becomes particularly apparent in Wittgenstein's contradictory attitude to Freud. He admits that psychoanalysis can help people change their behavior, but argues at the same time that "there is no way of showing that the whole result of analysis may not be 'delusion'."[36] He does not consider that some forms of behavior work better, because they are more appropriate to an individual's psychological and emotional needs, and that a disagreement is therefore

32. Karl Marx and Friedrich Engels, *The German Ideology* (1845), ed. by C. J. Arthur (London: Lawrence & Wishart, 1970), p. 47.

33. Theodor W. Adorno, *Negative Dialektik*, in *Gesammelte Schriften*, Vol. 6 (Frankfurt a. M.: Suhrkamp, 1975), p. 377.

34. Ludwig Wittgenstein, *Philosophical Investigations*, tr. by G. E. M. Anscombe (Oxford: Blackwell, 1958), p. 81 (§ 199), p. 82 (§ 206).

35. *Ibid.*, p. 85 (§241).

36. Ludwig Wittgenstein, *Lectures and Conversations on Aesthetics, Psychology and Religious Belief* (Oxford: Blackwell, 1966), p. 44.

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possible "between forms of life themselves."[37] In contrast, Horkheimer and Adorno aimed to retain a critical edge by reconnecting rationality to actual social practices, without reducing individual subjects to inscrutable black boxes without emotional needs. They combined a practical with an emotional and psychological demystification of the forms of rationality.[38]

Emotional Motivations

Horkheimer's and Adorno's first step on their new course was Nietzschean. They sought to demonstrate that apparently abstract thought processes were in fact forms of unacknowledged emotional response. However, as a reading of "Reason and Self-Preservation" shows,[39] these initial experiments generated a conceptual problem that it fell to *Dialectic of Enlightenment* to resolve.[40]

The essay develops an idea that initially appeared in Horkheimer's letters of August 1941, i.e., that pain first forces a focused consciousness on people, because it compels them to analyze and to escape a situation.[41] As Horkheimer formulates the idea: "Pain has always been the most reliable teacher of reasoning."[42] The essay reconnects apparently abstract thought processes with the gut reactions that first produced them. In other discussions, Horkheimer and Adorno had already turned to the emotional underpinnings of rational structures, exploring, as early as 1939, the role that fear plays in the genesis of identity.[43] However, the problem with these arguments is that the motivating emotions they refer to are always negative. The result is a critique of rational processes which, as Habermas

37. Terry Eagleton, "Wittgenstein's Friends," in *Against the Grain: Essays 1975-1985* (London: Verso, 1986), p. 122.

38. Wellmer has criticized Adorno's theory of language for being insufficiently Wittgensteinian and ignoring the vital role that shared practice plays in the generation of meaningful concepts. See his *Zur Dialektik von Moderne und Postmoderne*, *op. cit.*, p. 112.

39. This is an essay published under Horkheimer's name on which Horkheimer and Adorno collaborated before beginning work on *Dialectic of Enlightenment*. See Wiggershaus, *Die Frankfurter Schule*, *op. cit.*, p. 334.

40. See Max Horkheimer, "Vernunft und Selbsterhaltung," in *Traditionelle und kritische Theorie: Fünf Aufsätze* (Frankfurt a. M.: Fischer, 1992), pp. 271-301.

41. The idea is so important to Horkheimer that he copies out the passage of the letter to Egon Wissing (Adorno's brother-in-law) in which he first formulates it and quotes it in the letter to Adorno two days later. *Briefwechsel 1941-1948*, *op. cit.*, pp. 139-140 (Horkheimer to Egon Wissing August 26, 1941), p. 151 (Horkheimer to Adorno August 28, 1941).

42. *Ibid.*, p. 298.

43. "Zum Begriff des Individuums: Eigentum, Angst, Mündigkeit. 19. Januar 1939," in Max Horkheimer, *Gesammelte Schriften* Vol. 12, *Nachgelassenen Schriften 1931-1949*, *op. cit.*, pp. 451-56.

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points out,[44] equates rationality with a very narrow version of instrumental reason. Reason is nothing more than the practices that help the pain or the fear stop. This has debilitating consequences for Horkheimer and Adorno's arguments. When, towards the end of the essay on self-preservation, Horkheimer wishes to speculate about the form that an alternative rationality would take in the future, his argument reveals an empty space. He invokes a time when people will have outgrown the rational structures that were the product of their struggle to survive, and suggests that one of the forms that humanity will abandon will be individual identity. "Once atomized and disintegrating people have learned how to live without attribute, place, time or nation, so they will also have learned to do without the ego-identity in whose history, alongside all its intelligence, there is also to be found the stupidity of reason and its compact with power."[45] This claim is problematic, because the text offers nothing to replace the rejected identity. Having explained forms of subjectivity entirely in terms of the struggle to survive and an associated identification with power, Horkheimer has nothing from which to draw new forms of identity. This need not have been the case had he given a more complex account of underlying motivations. An overcoming of fear would then not have appeared to entail an overcoming of subjectivity in all its forms.

At the end of "Reason and Self-Preservation," Horkheimer and Adorno were left with the problem of giving a fuller account than simply fear and pain of the emotional underpinnings of rational processes. To do this, they needed to broaden their repertoire of devices to help them step "outside" familiar forms of reason and view them from a defamiliarizing perspective as forms of emotional practice. Already when working on the essay on self-preservation Horkheimer had shown an interest in anthropological texts, asking Marcuse in New York to keep an eye out for more up-to-date books than the Bachofen and Frazer they had at their disposal.[46] This anthropological interest grew as the collaborative work progressed, leading the authors to grant a key place in *Dialectic of Enlightenment* to anthropological discussions of magic. Two texts that Horkheimer and Adorno particularly drew on were Mauss' *A General Theory of Magic* (1902) and Freud's *Totem and Taboo* (1912). Even as they cite their ideas,

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44. Habermas, *The Philosophical Discourse of Modernity*, *op. cit.*, pp. 110-13. Habermas directs the criticism at *Dialectic of Enlightenment*, but it describes a methodological problem that *Dialectic of Enlightenment* is specifically trying to address.
45. Horkheimer, "Vernunft und Selbsterhaltung," *op. cit.*, p.301.
46. Wiggerhaus, *Die Frankfurter Schule*, *op. cit.*, p. 360.

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however, Horkheimer and Adorno significantly modify them.

Mauss approached primitive practices of magic in two stages. He reconstructed their underlying logic, then he stepped back to explain and to demystify them. His exposition introduced the idea of *mana*, a Melanesian word for a phenomenon which, in his opinion, can be found under a different name in every culture at a certain stage of development.[47] *Mana* refers to the force that makes magic possible, or, as Mauss suggested in a more technical vocabulary, it stands for the presuppositions that implicitly enable and regulate the practices of a society in which magic is employed (in the same way that, say, grammar enables and regulates language).[48] Mauss showed how, for the people who practice it, the operation of magic cannot be explained by isolated suppositions such as belief in sympathetic relations between objects or people, or in spirits or demons acting out magical effects. (For instance, rites which draw on sympathetic relations between objects cannot rely on these relations alone, but must be performed in particular places to be effective).[49] The superficial qualities point to a deeper level, that of an anonymous force over and beyond individual objects or places, which gives the sympathetic connections their substance, empowers special attributes, and of which the spirits are the agent: "In sum, *mana* is first of all an action of a certain kind, that is, a spiritual action that works at a distance and between sympathetic beings. It is also a kind of ether, imponderable, communicable, which spreads of its own accord. *Mana* is also a milieu, or more exactly functions as a milieu, which in itself is *mana*. It is a kind of internal, special world where everything happens as if *mana* alone were involved. It is the *mana* of the magician which works through the *mana* of the rite on the *mana* of the *tindalo* [spirit], and which sets other *manas* in motion."[50]

Two aspects of *mana* can be seen to have influenced Horkheimer's and Adorno's arguments. The first is Mauss' suggestion that *mana*, because it inhabits all aspects of the magical process, blurs distinctions "between actor, rite and object."[51] It is a phenomenon that cannot be grasped in terms of the distinction between subject and object. The second is his observation that *mana* is both part of the world of tangible objects

47. Marcel Mauss, *A General Theory of Magic*, tr. by Robert Brain (London: Routledge and Kegan Paul, 1972), pp. 108-117.
48. *Ibid.*, p. 118.
49. *Ibid.*, p. 100.
50. *Ibid.*, p. 112.
51. *Ibid.*, p. 108.

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and simultaneously distinct from it,[52] that it paradoxically combines the material with the immaterial. These arguments return in *Dialectic of Enlightenment* in the form of the concepts of mimesis and non-identity. However, the arguments were not part of Mauss' conclusion. The second stage of his argument was demystificatory, explaining the structures he had described in social terms. Mauss argued that the power with which *mana* imbues objects is a direct expression of social values. The magical value attributed to an object or person "is always a matter of the respective values recognized by society,"[53] suggesting that magic directly mirrors social hierarchies. The force behind magic is power. Horkheimer and Adorno equally interpreted magical practices as an expression of social hierarchy and as a form of social violence.[54] But they did not reduce magic to this demystificatory interpretation. Rather, they took up the description of *mana* and made an imaginative leap into the relation with the world of which it is an expression. This imaginative leap also differentiated their position from that of Freud.

For Horkheimer and Adorno, the covert affinities (such as that between a voodoo effigy and the object) on which magical practices depended, suggested a world that has not yet been divided into human subjects, on the one hand, and separate objects, on the other. In his essay on animist practices in *Totem and Taboo*, Freud dismissed these affinities as a subjective delusion. Magic exploits relations of similarity and contiguity. (Examples of the former would be making an effigy, or performing a rain dance;[55] of the latter, the treating of contiguous elements, such as rubbing oil on the weapon that inflicted the wound and not on the wound itself.)[56] In Freud's view, such magical practices merely retrace the patterns of association by which the mind works (condensation and displacement), and projects them onto the world in the belief that, because the mind is all-powerful, the patterns of the mind will also be the patterns of the world.[57]

For Horkheimer and Adorno, Freud's analysis misrepresents the world of primitive subjects, imposing later habits of thought on pre-historical material. The subject of magic cannot imagine that the world conforms to his or her imagination, because the division between subject and

52. *Ibid.*, p. 111.
53. *Ibid.*, p. 120.
54. Horkheimer and Adorno, *Dialectic of Enlightenment*, *op. cit.*, pp. 20-21.
55. Sigmund Freud, "Totem und Tabu," in *Studienausgabe*, ed. by Alexander Mitscherlich et al. (Frankfurt a. M.: Fischer, 1974-), Vol. IX, pp. 369-70.
56. *Ibid.*, p. 371.
57. *Ibid.*, p. 373.

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object has not yet occurred.[58] For Freud, this lack of differentiation would perhaps not be significant, since, from an observer's perspective, individual subjects are nevertheless distinct from the world of objects. In contrast, Horkheimer and Adorno treat the connection as real. Magic may not have been true, but the underlying experience from which it arose existed all the same. Magic points back to a world in which people are not only connected to or part of nature (an idea which is hardly controversial), but can directly experience this connection.

The term Horkheimer and Adorno use to describe the experience is "mimesis." In using this term, they do not mean the forms of aesthetic representation Erich Auerbach discussed in his book of the same name. They invoke something closer to the biological use of the term — animal or gut reactions such as freezing to blend with nature when a predator is near,[59] or the imitative practices whereby the shaman becomes like the environment he wishes to influence.[60] This sense of connectedness underpins what might be called the anthropological just-so story that they construct about the origins of conceptual thought. During the opening sections of *Dialectic of Enlightenment*, the gods in all their embodiments are a negative term. To imagine a power behind the surface of the world, be it a divinity or simply Newton's infallible laws of motion, which controls nature's every stirring, only makes the world more stable, more predictable, and more malleable: "The creative god and the systematic spirit are alike as rulers of nature."[61] Gods in this account are the first step in the evolution of a subject who falsely extricates himself from the irregular, concrete particulars of his surroundings so as the better to control them. However, Horkheimer and Adorno subsequently shift their argument dialectically to offer a conflicting account of how the gods were born. In this alternative version, the gods cease to be the correlate of alienation and, in the form of *mana*, become an inkling of what Horkheimer and Adorno term "non-identity," the spilling over of people and objects beyond the bounds of individual concepts.

Horkheimer and Adorno imagine a primitive subject in the rainforest suddenly becoming aware of the forest as a powerful organism. The realization produces a cry of terror, which is a point of origin for both positive and negative varieties of conceptual thought. In an attempt to ward off the

58. Horkheimer and Adorno, *Dialectic of Enlightenment*, *op cit.*, p. 11.
59. *Ibid.*, p. 180.
60. *Ibid.*, pp. 9-10.
61. *Ibid.*, p. 9.

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feared entity, the cry is fixed by the primitive subject as the name of a spirit, and becomes a way of invoking it. This act of naming can be interpreted as both proto-dialectical, and proto-manipulative. It is proto-dialectical, because the word registers that the forest phenomena around the subject are both themselves and something more. "When the tree is no longer approached merely as tree, but as evidence for an Other, as the location of *mana*, language expresses the contradiction that something is itself and at one and the same time something other than itself, identical and non-identical. . . . The concept, which some would see as the sign-unit for whatever is comprised under it, has from the beginning been instead the product of dialectical thinking in which everything is always that which it is, only because it becomes that which it is not."[62] However, the naming functions as an act of control, a labeling or categorization of the unknown that attempts to render it more familiar and predictable. While the proto-dialectical response is motivated by a sense of anxious awe, the labeling is motivated by a panicky desire to reassert control by establishing a systematic and exhaustive account of the environment: "Man imagines himself free from fear when there is no longer anything unknown. . . . Nothing at all may remain outside, because the mere idea of outsideness is the very source of fear."[63] Rational processes are ambivalent and have their roots in an experience of connectedness at once awe-struck and terrified.

This tale of the origin of conceptual thought is too speculative to stand much empirical scrutiny. Indeed, the somewhat cavalier attitude to historical and anthropological detail is one of the severe flaws of the text as a whole, despite Horkheimer's own awareness that if the text was not filled with apposite detail it would never be convincing.[64] The importance of the tale of the origins of conceptuality is methodological. Horkheimer and Adorno ground their account of rational practices in an intense emotional experience before the division of subject from object, suggesting that rational practices develop as a means of coming to terms with and regulating the feeling of connectedness. To many thinkers, such an experience is regressive, unavailable to humans or simply non-existent. Freud, writing in *Civilization and its Discontents*, describes a similar state which he calls the "oceanic feeling," but it is one that he claims never personally to have felt, and of which he asserts that, where it is experienced, it rightly belongs

62. *Ibid.*, p. 15.
63. *Ibid.*, p. 16.
64. Horkheimer, *Briefwechsel 1941-1948*, *op. cit.*, p. 275 (Horkheimer to Felix Weil, March 10, 1941).

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only to the earliest experiences of childhood.[65] In Rilke's *Duineser Elegies*, the sense of envelopment and openness is one that small insects can experience, but not people.[66] Thus, it is not surprising that Adorno's critics have attempted to re-construe the term as did Jameson, Eagleton, Wellmer, and Habermas. Nevertheless, despite the strangeness of the term and the empirical imprecision with which it is formulated, the idea has far-reaching implications for the project of Critical Theory. To clarify the concept and to demonstrate both its methodological importance and its empirical plausibility, it is instructive to compare Horkheimer's and Adorno's account with two others, that of Nietzsche, on the one hand, and of Winnicott, on the other. The comparison with Nietzsche reveals one of the most positive aspects of Horkheimer and Adorno's project, while that with Winnicott points up both its limits and its more appealing ambitions.

Versions of Connectedness (I): Nietzsche

The aspect of Nietzsche's philosophy that bears strongest affinities to Horkheimer's and Adorno's idea of mimesis, is his account, in *The Antichrist* (1888), of the "psychological type" of the redeemer. Christ, as portrayed by Nietzsche, displays many characteristics typical of the mystical tradition; as Gary Shapiro puts it, he is "blissed out."[67] He rejects all structures, be they institutional or conceptual.[68] He lives in a world without rituals, without even ideas of time or space, where the individual is not separated from God by hierarchy or by sin, but in which the individual is permanently connected with divinity, because he has become divine.[69] This

65. Sigmund Freud, "Das Unbehagen in der Kultur," in *Studienausgabe*, *op. cit.*, Vol. IX, pp. 197-205.

66. Rainer Maria Rilke, *Duineser Elegien, Die Sonette an Orpheus* (Frankfurt a. M.: Insel, 1974), p. 36 (8th elegy).

67. Gary Shapiro, "The Writing on the Wall: *The Antichrist* and the Semiotics of History," in *Reading Nietzsche*, ed. by Robert C. Solomon and Kathleen M. Higgins (Oxford: Oxford University Press, 1988), p. 200. Shapiro is not interested in this bliss as an emotional, but as a linguistic structure. He sees it as a state so far removed from language that it demonstrates the contingency of every act of naming.

68. Nietzsche speaks of Christ's "repugnance for all formulae, all concepts of time and space, for all things that are fixed: custom, institution, church." See Friedrich Nietzsche, *Der Antichrist*, §29, in *Kritische Studienausgabe*, ed. by Giorgio Colli and Mazzino Montinari (Munich: Deutsche Taschenbuch Verlag, 1980), Vol. 6, p. 200. For a mystical text that similarly pushes beyond all structures, see Meister Eckhart, *Selected Writings*, tr. by Oliver Davies (Harmondsworth: Penguin, 1994), pp. 202-09: *Beati pauperes spiritu.*

69. In the introductory comments with which Bernard McGinn starts his history of mysticism, he insists that "mysticism is always a process or a way of life." *The Foundations of Mysticism* (London: SCM Press, 1991), p. xvi.

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state of divinity is neither abstract nor unreal but, again in keeping with the mystical tradition, is more a way of life, or what Nietzsche calls a "condition of the heart,"[70] a particular way of living out longing in the present.

This "condition of the heart" resembles what Horkheimer and Adorno point to with their concept of mimesis. It describes a psychological state before or beyond division, uncontrolled by the separating practices of rational thought. Where Horkheimer and Adorno situate the state anthropologically, Nietzsche does so religiously, linking it to the Christian mystical tradition. However, he reacts to the state very differently from Horkheimer and Adorno, showing by default the strength of their account. Their mimetic behavior arises from the individual's often overwhelming experience of connection with the world. Nietzsche's version is more solipsistic. In his view, the psychological explanation for Christ's behavior is an "instinctual hatred of reality."[71] Christ, for Nietzsche, is someone for whom all contact with reality, even in self-defense, is so painful that he withdraws into an inner world for which reality does not exist. This interpretation is problematic on two counts. As a portrait of Christ, it seems simply wrong (of the Christ, for instance, who said give to Caesar what is Caesar's, recommending to his disciples that they live both in the world and with God). But it also appears misguided as an interpretation of the psychological structures that Nietzsche is describing, if one takes at all seriously the parallel between Nietzsche's Christ and the mystical tradition. For many mystics, contemplation of God's presence is only part of a journey that eventually takes the individual back into the world.[72] Their "condition of the heart" is not one that causes them inevitably to withdraw from reality.

Nietzsche's interpretation is nevertheless instructive, because it shows on what terms it was possible to conceive a mimetic state in late 19th-century Germany and, as a consequence, demonstrates the habits of thought that Horkheimer and Adorno left behind with their imaginative leap into anthropological prehistory. For Nietzsche, the intense state can have no relation to the outside world. An earlier draft of the portrait of Christ reveals why, for here it appears that Christ, for Nietzsche, is a retarded figure who has stayed childishly in the age of puberty.[73] This Christ, like a child, is

70. Nietzsche, *Kritische Studienausgabe*, *op. cit.*, Vol. 6, p. 207. (*Antichrist*, §34).
71. "Der Instinkt-Hass gegen die Realität," *ibid.*, Vol. 6, p. 200. (*Antichrist*, §30).
72. Meister Eckhart's sermon on the biblical figures of Martha and Mary, in *Selected Writings*, *op. cit.*, pp. 193-202. *Intravit Iesus in quoddam castellum* praises Martha precisely because she works even as she enjoys God's presence.
73. Nietzsche, *Kritische Studienausgabe*, *op. cit.*, Vol. 13, p. 237.

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unable to defend himself against the demands of social structures, and instead experiences the world as a set of impositions from which he must withdraw, if he is not to helplessly conform. As a result, his inner intensity can have no connection to the world. The alternative to this withdrawal, in Nietzsche's view, is to become the agent of the violence of which one would otherwise be the passive victim. This identification with violence is explicit in the brief re-statement of his theory of the will to power with which Nietzsche begins *The Antichrist*: "What is good? — Everything which increases the feeling of power, the will to power or power itself in the subject. . . . What is happiness — the feeling of power *growing* — that an obstacle is being overcome."[74] In contrast, *Dialectic of Enlightenment* abandons the identification with violence and hopes by returning anthropologically to the origins of social practices to restore to Nietzsche's solipsistic intensity a sense of connectedness with the outside world.

Adorno was already feeling his way toward this re-orientation as he read Nietzsche in the 1940s, preparing for his collaboration with Horkheimer. Nietzsche insisted in his later notebooks that it is impossible to get behind the will to power — that it is the force for which all other explanations are metaphorical circumlocutions.[75] Adorno challenges this assertion, and suggests that behind the will to power a deeper impulse is lurking. In a July 1941 letter to Horkheimer, he reported: "I have been thinking a good deal about the will to power. . . . What Nietzsche calls the will to power is actually nothing but the fear of losing power, that is to say something which remains compulsively trapped in the natural cycle."[76] By returning to the level of this deeper fear, abandoning violence and unmasking much of Western philosophy as an anxious attempt to retain mastery, Horkheimer and Adorno are able to restore to the human subject a sense of connection and envelopment. Yet, the only way for them to make this conceptual shift was to return to an almost mythical past. They break out of the cycle of violence only by a form of withdrawal of their own.

This withdrawal is not strictly necessary. There is no logical reason why the psychological layer to which they turn could not be explored using material drawn from contemporary experience. A comment from the critique of psychoanalysis Adorno wrote in the 1950s suggests where

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74. Nietzsche, *Kritische Studienausgabe*, *op. cit.*, Vol. 6, p. 170. (*Antichrist*, §2).

75. Nietzsche claims, e.g.: "that every 'purpose,' 'aim,' 'intention' is only an expression for, or metamorphosis of the One Will that inheres in all action, the Will to Power." See Nietzsche, *Kritische Studienausgabe*, *op. cit.*, Vol. 13, p. 44.

76. *Briefwechsel 1941-1948*, *op. cit.*, p. 113 (Adorno to Horkheimer, July 30, 1941).

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the two thinkers might have started to look. Adorno briefly reflects on the way a young child can be influenced by social forces, turning his attention to a more subliminal level than the shaping of desires by mass culture. What Freud calls infantile sexuality, Adorno suggests is rather a mimetic responsiveness to changes in other people's moods that is unimaginably sensitive to shade and nuance. The gestures by which, for instance, a father tries to conceal his (socially determined) sense of impotence might, Adorno speculates, leave their indelible mark on the child's developing psyche. [77] Such an example is more concrete than the pre-historical material which Horkheimer and Adorno otherwise use in their account of mimetic impulses in *Dialectic of Enlightenment*. Similar material could have been used to supplement and expand the study of the psychological habits and assumptions associated with modern rationality. The result would have been both less abstract and less pessimistic than the text Horkheimer and Adorno eventually wrote insofar as it might have uncovered the familial and wider social structures by which the habits of rationality are reproduced and legitimated. Horkheimer and Adorno set the stage for this empirically grounded, psychological demystification of forms of subjectivity, but they did not build on their own methodological revolution. One psychoanalyst who particularly investigated the kind of experience to which Adorno briefly referred in his re-reading of infantile sexuality was Donald Winnicott (1896-1971). To make Horkheimer's and Adorno's insights more concrete and to escape the imprecision of prehistory, it helps to look at Winnicott's psychoanalytic account of how the feeling of connectedness features in the process of socialization.

Versions of Connectedness (II): Winnicott

Winnicott handles the sense of connectedness both more sympathetically and more concretely than Nietzsche. He distinguishes between two different states in the psychological development of an infant, one male, the other female, insisting that as long as they enjoy "good enough" parenting, infants of either sex will experience both. [78] The male state is one in which the infant relates to the world as a set of distinct objects, separate from him or her, and in relation to which he or she can have drives and desires. [79] Psychoanalysis has traditionally devoted much attention to this

77. Theodor W. Adorno, "Zum Verhältnis von Soziologie und Psychologie," in *Gesammelte Schriften*, Vol. 8 (Frankfurt a. M.: Suhrkamp, 1972), p.75.
78. D. W. Winnicott, *Playing and Reality* (London: Tavistock, 1971), p. 79.
79. *Ibid.*, p. 80.

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type of interaction with the world: to desires, their objects and their frustrations. At the same time, Winnicott maintains "that there are significant mechanisms for object-relating that are not drive-determined."[80] These are visible in the female state as one of apparent completeness in which the baby is not even aware of being separated from the mother's breast, let alone from a wider world. This state arises not simply because the infant's desires are satisfied. For Winnicott, it is a question of a more fundamental sense of security or relatedness, which "has to be thought of primarily in terms of holding and handling."[81] By physically and emotionally cradling the infant, the person mothering the child allows him or her to experience a sense of total envelopment. In Winnicott's view, the only adequate term to describe this state is that of mere "being," since even to call it "being-at-one" with the world is to suggest a degree of separation which the child has not yet experienced.[82]

In the vocabulary of an empirically-grounded psychoanalysis, this describes the experience Horkheimer and Adorno through their anthropological studies of magic, lending plausibility to the idea of mimesis, that its association with voodoo effigies and rain dances otherwise undermined. This is particularly true because Winnicott's theory is so down-to-earth. His claims about primary experiences avoid the pitfalls of romanticism (idealizing a pure intensity experienced by children alone) on the one hand, and biologism (claiming a genetically preprogrammed union between baby and nurturing breast) on the other. Instead, Winnicott constantly emphasizes the role played by other human beings that interact with the nursing infant. The most important figure is likely to be the baby's mother, but Winnicott makes it explicit that the biological mother is not the only person to contribute to the creation of the necessary security. Where he uses words like "mother" or "breast," he insists that the terms be read as shorthand for the technique of a childcare adapted physically and emotionally to the needs of the child. The experience of just "being" arises from a concrete social situation, in which the adults caring for a baby are able to produce a "good enough" environment for the child to enjoy a sense of completeness.

As both Jessica Benjamin and Axel Honneth have argued,[83] the

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80. *Ibid.*, p. 137.
81. *Ibid.*, p. 130.
82. *Ibid.*, p. 80.
83. Jessica Benjamin, *The Bonds of Love: Psychoanalysis, Feminism and the Problem of Domination* (London: Virago, 1990). Axel Honneth, *Kampf um Anerkennung: Zur moralischen Grammatik sozialer Konflikte* (Frankfurt a. M.: Suhrkamp, 1992), pp. 157-69.

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demystifying emphasis on human actions makes Winnicott's version of psychoanalysis an invaluable aid for Critical Theory. At the same time, the aspects of Winnicott to which Benjamin and Honneth appeal are not those that help to clarify the idea of mimesis. For both, the process of overcoming dependence, separating from the mother and achieving what Honneth calls "a symbiosis refracted through mutual recognition" (loving the mother while simultaneously acknowledging her independence),[84] is of greater psychological and theoretical significance than the state of dependence or being merged. Benjamin and Honneth both appeal to the developmental aspect of Winnicott's thought in order to escape what they take to be the limitations of Horkheimer's and Adorno's position. Benjamin wishes to escape their mistaken belief that the only alternative to an alienated rationality is "dedifferentiation and irrationality — a romantic and ultimately dangerous reunion with nature."[85] In her view, the choice only appears to be so limited to a Western male subject who has experienced difficulties in separating from the mother and cannot imagine an alternative to an enveloping force or a reified object.[86] For Honneth, the limitation of Horkheimer's and Adorno's position is that they are unable to conceive of social or cultural activity that does not follow the reified model of the social exploitation of nature.[87] The psychoanalytically grounded theory he develops as an alternative then explicitly draws on the work of Benjamin as well as Winnicott.[88]

Benjamin's and Honneth's criticism are justified inasmuch as the authors of *Dialectic of Enlightenment* are unable to locate potential sites of resistance to the structures of domination that they analyze, be they psychological, social, or political. However, their alternative fails to develop the innovation that found fragmentary expression in the text from the 1940s. Where Horkheimer and Adorno turned their attention to the social and psychological regulation of the mimetic sense of connectedness, Benjamin and Honneth prefer to emphasize psychological development and autonomy. Yet, the two strands should be viewed neither as simple alternatives nor as a neat linear sequence (first connection then autonomy). For

84. *Kampf um Anerkennung*, *op. cit.*, p. 172.
85. *The Bonds of Love*, *op. cit.*, p. 191.
86. *The Bonds of Love*, *op. cit.*, pp. 185-89.
87. Axel Honneth, *Kritik der Macht: Reflexionsstufen einer kritischen Gesellschaftstheorie* (Frankfurt a. M.: Suhrkamp, 1985), p.38.
88. Honneth, *Kampf um Anerkennung*, *op. cit.*, p. 164 and 171. Roger Frost questions Honneth's approach to individual identity in "Recognition and Resistance: Axel Honneth's Critical Social Theory," in *Radical Philosophy* 94 (March/April 1999), pp. 6-18.

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Horkheimer and Adorno, the subject remains connected, and must recollect and respect this connection if he or she is to achieve a more balanced form of rationality. For this reason, Horkheimer and Adorno appeal for the "remembrance of nature in the subject" toward the end of the first essay of *Dialectic of Enlightenment*.[89] For Winnicott, too, the state of "being" is one to which the subject returns in later life in play and in cultural experience. The child that has been given the space to just "be" develops the confidence in his or her environment that allows, on the one hand, a gradual coming to terms with its separation, and on the other, a flourishing of creativity. The first step in this process is the "transitional object," the thumb, or piece of cloth that the baby adopts as its first toy. A baby who trusts the environment, and who is not left alone too long or too often, begins to invest imaginatively in the chosen object, making it initially a symbol for the care that has temporarily been removed, but developing this imaginative investment into a general capacity to play.[90] This capacity is not something a child should overcome as he or she grows older. The absorption of a child in play reappears in later life in concentration, or the attention given to a novel or a theatre performance. The sense of trust from which a child's play emerges is the source of all subsequent forms of creativity: "There is a direct development from transitional phenomena to playing, and from playing to shared playing, and from this to cultural experiences."[91] For Winnicott, as well as for Horkheimer and Adorno, the feeling of connection is a constitutive, if often unconscious part of adult identity and disturbances in its initial management have lasting consequences.

Undialectical Conclusions

Winnicott's theories make the impulses and attitudes associated with mimesis more accessible. But his theories cannot simply replace the arguments of *Dialectic of Enlightenment*. The comments connecting transitional objects with adult cultural experience are no less sketchy than those connecting mimesis to modern cultural institutions. His theories are important, because they clarify the sort of criticism that it is productive to level at Horkheimer and Adorno. Their explorations of mimesis remain fragmentary and insufficient. To call enlightenment "mythic fear turned radical"[92]

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89. Horkheimer and Adorno, *Dialectic of Enlightenment*, *op cit.*, p. 40.
90. "The transitional object stands for the breast or the object of the first relationship." See Winnicot, *Playing and Reality*, *op. cit.*, p. 9.
91. *Ibid.*, p. 51.
92. Horkheimer and Adorno, *Dialectic of Enlightenment*, *op cit.*, p. 16.

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is suggestive, but in *Dialectic of Enlightenment* it remains only that. The historical detail that would substantiate the connection is not supplied, leaving the claim as little more than a philosophical joke (two unrelated terms unexpectedly combined).[93] Horkheimer and Adorno made the methodological shift to the idea of mimesis, but they were not able to locate more exactly the psychological layer to which their attempts to give a demystifying view of rational practices led them. Habermas suggests that this failure is inevitable. In his view, Horkheimer and Adorno are trying to describe something that, as the opposite of rationality, necessarily resists theoretical formulation.[94] But Habermas misdiagnoses the problem. Horkheimer and Adorno are not attempting a theoretical description of the "other" of rationality so much as making an imaginative leap into a different state of mind. The shift is psychological, rather than theoretical. That it is not impossible is confirmed by Winnicott's writings, which locate and explore more fully the experiences Horkheimer and Adorno only suggested with their forays into anthropology.

The shortcomings of *Dialectic of Enlightenment* are thus not primarily logical. They are the result of more practical difficulties, a failure of manpower, and something that looks retrospectively like an excess of philosophical pride. The failure of manpower was something of which Horkheimer and Adorno were painfully conscious. In a March 1942 letter to Felix Weil, Horkheimer showed his awareness that the ambitious project he was undertaking with Adorno needed to draw on the empirical expertise of as many of his colleagues from the Institute for Social Research as possible.[95] In the end, the book was written by Horkheimer and Adorno alone, with Leo Löwenthal supplying material for the chapter on anti-Semitism. Nevertheless, the problems of the book cannot be entirely explained by the sheer vastness of the project. Horkheimer and Adorno also exhibit a tendency to re-cast practical and psychological difficulties as theoretical ones, thus paving the way for Habermas's misreading. This can be seen if one compares a statement of the project the two hoped to undertake with the text they finally wrote.

In a November 1943 letter to Otto Kirchheimer, Horkheimer outlined the situation confronting critical theorists and offered a potential solution. "Nowadays probably more than ever, [ideology] is to be found in the very

93. Hartmut Scheible, *Theodor W. Adorno* (Reinbeck bei Hamburg: Rowohlt, 1989), pp. 115-16.

94. Habermas, *Theorie des kommunikativen Handelns*, *op. cit.*, Vol. 1, p. 512.

95. *Briefwechsel 1941-1948*, *op. cit.*, p. 275 (Horkheimer to Weil, March 10, 1941).

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cut of people's identities, in their talents or lack of talent, in their preferences and interests. It has moved from a psychological level down to that of anthropological foundations. Hence the necessity of developing a materialist anthropology."[96] The critical theorists were not confronted with erroneous beliefs, but rather with an identity whose constitutive habits they wished to question. To do this, they needed a description of the practices by which the identity reproduces itself, and a sense of how things might function otherwise. Horkheimer and Adorno started on this project in *Dialectic of Enlightenment*. However, the analysis was far from complete, as they made explicit with the title of "Philosophical Fragments" under which they first circulated the text in 1944, and with their comment that they still hoped for the leisure to complete the book.[97] They never did, but on one level there was no need for them to do so because the arguments they develop in the text generate their own sense of completion, replacing anthropological investigations with a more self-sufficient form of abstract argument.

To give an example: the text presents a dialectical movement whereby the subject abstracts itself from its environment and its own body to such an extent that the very idea of a subject confronting an object becomes inappropriate. "World domination over nature turns against the thinking subject himself; nothing is left of him but that eternally same *I think* that must accompany all my ideas. Subject and object are both rendered ineffectual."[98] In this situation, the only solution, Horkheimer and Adorno suggests, is for the thinking abstraction to take itself as an object and recognize that its desire for abstraction is compulsive, i.e., part of the nature from which it believes itself to have become separated.[99] This argument is far from an anthropological investigation, it is more a dialectical thought experiment (how the objectless subject learns to grasp itself as an object). However, it does not advertise itself as such. Horkheimer and Adorno do not say that for contingent reasons — of time, funding, the novelty of the approach, and the difficult imaginative leap that it involves — they cannot yet claim to have fully described the situation, so they are instead presenting the inconclusive fragments they have thus far collected. Instead, the dialectical thought experiments, which are, on one level, a symptom of

96. *Briefwechsel 1941-1948*, *op. cit.*, p. 496 (Horkheimer to Otto Kirchheimer, November 5, 1943).
97. Wiggershaus, *Die Frankfurter Schule*, *op. cit.*, p. 364.
98. Horkheimer and Adorno, *Dialectic of Enlightenment*, *op cit.*, p. 26.
99. *Ibid.*, p. 39.

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failure, are presented as insights into the deep structure of Western rationality. In place of a materialist anthropology, there is the dialectic masquerading as a quasi-ontological description. "Thinking objectifies itself to become an automatic, self-activating process; an impersonation of the machine that it produces itself so that ultimately the machine can replace it."[100] Of course, there are signals that the dialectics should not be read too literally, such as the paradoxical assertion that only exaggeration is true.[101] But the general tone of the book is more assertive, a series of curt statements, which, although they have the merit of provoking contradiction, do not help suggest how the fragmentary "work in progress" could be completed, or how the process it describes could be halted or transformed.

Dialectic of Enlightenment thus pulls in two directions. On the one hand, there is the attempt to describe the practices by which the mimetic impulses (or the sense of "being connected") are experienced and controlled. On the other hand, there is a conceptual and rhetorical apparatus that finally comes to replace, rather than assist, cultural investigations. This analysis has strenthened the former impulse, but it raises the question of how Horkheimer's and Adorno's project can nowdays be continued. Part of the appeal of Horkheimer and Adorno's argument is their attempt to describe the regulation of mimetic impulses in society at large, not just in the first stages of human development (be that an archaic past, or the first years of infancy). In their view, modern mass culture is so robust, because it mobilizes mimetic impulses to its own ends. "The triumph of advertising in the culture industry is the consumers' compulsive mimetic conformity to products even though they see through them."[102] Horkheimer's and Adorno's explorations of pop culture remain as fragmentary and unconvincing as their experiments with pre-history. In neither case do they develop materialist anthropology they occasionally aspired to. However, they prepared the way for a more differentiated treatment of contemporary social practices. Their texts begin to describe the practical situations and everyday techniques through which mimetic impulses are manipulated and controlled. They draw attention to the minutiae through which the culture industry constitutes and controls its subjects: "the moustache, the French accent, the deep voice of the woman of the world, the Lubitsch touch."[103] They remark on the "system of churches, clubs,

100. *Ibid.*, p. 25.
101. *Ibid.*, p. 118.
102. *Ibid.*, p.167, translation amended.
103. *Ibid.*, p. 154.

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professional associations, and other such concerns, which constitute the most sensitive instrument of social control."[104] They observe how the technology and architecture associated with modern mass communication "establishes uniformity among men by isolating them."[105] The result — potentially at least — is an "anatomy of detail" similar to the one that Foucault sketched of the disciplinary techniques developed in the 17th and 18th centuries.[106] But, where Foucault is hesitant to say what the techniques and technologies of power regiment,[107] Horkheimer and Adorno supply the idea of mimetic impulses to describe what is exploited and controlled. Of course, it could never be claimed that they arrived at a full, anthropological "thick description" of mass culture's management of these impulses. But they did locate their critique at a level that would make the "thick description" compelling, were it ever to be undertaken, because of the way it could combine aesthetic, social, and philosophical analyses with an account of the subject's deepest longings.

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104. *Ibid.*, p. 149.
105. *Ibid.*, p. 222.
106. Michel Foucault, *Discipline and Punish: The Birth of the Prison*, tr. by Alan Sheridan (Harmondsworth: Penguin, 1979), p. 139.
107. Habermas, *The Philosophical Discourse of Modernity*, *op. cit.*, pp. 284-286.

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Discourse Ethics and the Problem of Oppression

Nicholas Meriwether

Discourse as Moral Epistemology

What justifies a norm? For Jürgen Habermas the justification of norms is a function of their validation through a duly-constituted discourse. Norms are "rational" if they are agreed to in deliberative discourse. More specifically, a norm's validity is a function of its reasonableness to the participants in discourse, and this validity is what constitutes what is moral.[1] Appeals to a norm must be able to win adherence to its implicit claim to moral justification through rational arguments.[2]

For Habermas, validity (agreement on the basis of reasons acceptable to all) can only be gained through a procedure that does not presuppose the "validity" of any notion of the good life. In this sense, discourse ethics is deontological, prioritizing procedures over any concept of the good. In pluralist contexts typical of Western societies, moral theories seeking to actualize some substantive concept of the good fail to produce consensus, because their justifications arise out of a discursively-unredeemable concept of the good life incompatible with modernity.[3] Thus, validity is sacrificed. Furthermore, universalizability, i. e., what all affected by it can

1. Jürgen Habermas, *Moral Consciousness and Communicative Action*, tr. by Christian Lenhardt and Sherry Nicholsen (Cambridge, MA: MIT Press, 1990), p. 196; and Jürgen Habermas, *Justification and Application*, tr. by C. Cronin (Cambridge, MA: MIT Press, 1993), p. 152. Thus, validity is the source of both rationality and normativity. In effect, Habermas limits moral theory to questions of justice.

2. Jürgen Habermas, *The Theory of Communicative Action*, Vol. I, tr. by Thomas McCarthy (Boston: Beacon Press, 1984), p. 9.

3. Habermas, *Justification and Application*, *op. cit.*, p. 150.

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agree to, implies a formal ethics of discourse, since only through living discourse can there be any certainty that proposed norms win the agreement of everyone affected by them.[4]

Thus, deontological universalizability is the logical core of normativity. But substantive theories "are so inextricably intertwined with the totality of a particular form of life that they cannot claim normative validity in the strict sense."[5] In regard to this discursive validity (based on deontological universalizability), practical discourse serves a justificatory function. Universalizability determines which of the myriad proposed norms is in fact moral by virtue of its acceptability to all affected by it. Because of its strict proceduralism and its *de jure* role as mediator among forms of life, discourse cannot be amended by appeals to substantive goods arising from within those same forms of life.

This epistemic purpose is further clarified by Habermas' insistence on the cognitivity and objectivity of discourse ethics. In practical discourse, reasons are offered in defense or in criticism of prospective norms, and it is on the basis of the acceptability of these reasons that the norm is redeemed. Thus, one may speak of the cognitivity of norms, because they are validated on the basis of reasons, and of the norms' objectivity in respect to the achieved consensus, i.e., whether the proposed norm has achieved consensus and thus validity. Together, the cognitivity and objectivity of discourse-validated norms provide the necessary epistemic warrant for rational acceptance and subsequent implementation of a norm.

To ground deontological discourse as the *sine qua non* of rationally-achieved validity, Habermas employs a panoply of arguments from developmental psychology, socio-cultural evolution, and intellectual history. The focus here will be on Habermas' formal/pragmatic justification, which is where he most emphatically claims to support the deontological universality of discourse ethics over against unredeemable teleological theories. Drawing from "the idealized presuppositions of argument in general,"[6] he produces the universalization principle that provides a basic "logic of argumentation":[7] "*All* affected can accept the consequences and the side effects [that] *general* observance [of the norm] can be anticipated to have for the satisfaction of *everyone's* interests (and these consequences are

4. Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, p. 67.
5. *Ibid.*, p. 104.
6. Jürgen Habermas, *Between Facts and Norms*, tr. by W. Rehg (Cambridge, MA: MIT Press, 1996), pp. 230.
7. Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, p. 93.

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preferred to those of known alternative possibilities for regulation)."[8]

Norms cannot be derived from the rules of argumentation. Only the universalization principle can.[9] According to Habermas, universalization as a mere logic of argumentation does not yet constitute a moral theory able to provide sufficient justification that a norm is universalizable. Discourse is the only warrant that the impartiality promised by universalization for the validation of any norm is observed.[10] "Only those norms of action can claim to be valid that meet (or could meet) with the approval of all affected in their capacity *as participants in a practical discourse.*"[11] For any given normative validity claim, the necessary and sufficient conditions for judging that norm is discourse; only practical discourse provides the necessary warrant that the universality required by universalization is observed. Since the proper implementation of discourse is what establishes validity, and since the conceptual basis for the required discourse is derived from the logic of argumentation, there cannot be moral preconditions for the formal constitution of discourse other than what is implied in this logic. For Habermas, going beyond such a logic for moral justification would render discourse "substantive" and not properly deontological. "Substantive principles or basic norms . . . can only be the *subject matter* of moral argumentation," not the premises.[12]

If it is only through actual discourse that proposed norms can be validated, what are the conditions, if any, for participation? An initially arresting, but unsurprising feature of Habermas' account is that only those "who have the capacity to take part in argumentation" are allowed to participate.[13]

8. *Ibid.*, p. 65.
9. *Ibid.*, p. 86.
10. Habermas, *Between Facts and Norms*, *op. cit.*, pp. 108-9. Discourse "is only intended to explain the point of view from which norms of action can be judged *impartially justified*; I assume that the principle itself reflects those symmetrical relations of recognition built into communicatively structured forms of life."
11. Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, p. 65. The later formulation takes on a decidedly more hypothetical cast, and also leaves the type of discourse undetermined: "Only those norms of action are valid to which all possibly affected persons could assent as participants in rational discourse." Habermas, *Between Facts and Norms*, *op. cit.*, pp. 459-60. Here, Habermas speaks of the discourse principle "differentiating" into the moral principle (universalization) and the democratic principle. Thus, the relation between universalization and discourse does not appear to be inferential in any rigorously hierarchical way; rather, it seems to be more symbiotic. While discourse indicates simply what it means for a norm of action to be assessed impartially, universalization provides a "rule of argument."
12. Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, p. 93.
13. *Ibid.*, p. 89. This is offered as explanation for the first rule of discourse: "Every subject with the competence to speak and act is allowed to take part in a discourse."

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The scope of this qualification is ambiguous. A commonsensical reading would exclude people who are mentally incapable of coherent speech, including the profoundly retarded, the senile, those in advanced stages of degenerative nerve disorders, those with severe brain injuries, in a coma, etc. Here, it is hard to see why this qualification could not be extended to those whose cognitive limitations prevent them from making or comprehending arguments. It could even extend to those unwilling or unable to subject certain deeply-held values to consensual validation.

Since the number of people who cannot engage in argumentation may be significant, participants in discourse (moral agents) will inevitably be fewer in number than those affected by the norms under discussion (moral subjects), if physical and cognitive linguistic abilities are required for participation.[14] Yet, going strictly by the letter of discourse and universalization, there is nothing in the least contradictory about those mentally incapable of participation being affected by the adopted norms in ways they would not want, as long as "all" is restricted to the linguistically competent.

The abortion issue illustrates the problem. Every fetus is potentially affected by the norm that allows women to end unwanted pregnancies. However, since fetuses are linguistically incompetent, conceivably their needs could only be represented by a linguistically-competent participant whose own needs are somehow identical with their own. No doubt for some, the exclusion of the needs of fetuses from discourse appears morally appropriate over against the need of women for autonomy. But the exclusion of the needs of fetuses from direct discursive probation on linguistic grounds, as discourse ethics demands, can be extended to the retarded, those suffering from Alzheimer's, the very young, future generations, etc. If there can be no pre-given moral constraints on the participants in discourse, i.e., if only those norms of action that emerge from concretely-conducted discourse may count as valid, even under ideal conditions (i.e., participation of only well-meaning moral agents), then those without the requisite linguistic capacities are at the mercy of those who have them.[15] By Habermas' own definition, the only criterion for admission

14. The terminology here is borrowed from Gunnar Skirbekk, "The Discourse Principle and Those Affected," in *Inquiry* 40 (1996), p. 66.

15. Habermas briefly considers the problem of "mute creatures" such as animals, and concedes that this is a legitimate worry. He seeks to assuage this concern by pointing out the proper delimitation of moral theory is "to clarify the universal core of our moral intuitions and thereby to refute value skepticism," not to provide any "substantive contribution," and leaves it to the participants to provide answers. See Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, p. 211.

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into discourse is that a linguistically-competent person be willing to subject nonvalidated norms of action to consensual validation by other linguistically-competent persons.

In order for advocacy of the linguistically incompetent to be a *moral* imperative, taking their needs into account must be *constitutive* of a duly-constituted discourse.[16] Merely to allow participation of the linguistically incompetent insofar as a participant happens to care about them does not integrate recognition of their desires into discourse, as is the case with the needs of the linguistically competent. Anything less than full integration of the linguistically incompetent into discourse would make the moral status of their claims contingent on whether a participant is able to convince a duly-conducted discourse of their validity.

Must *Oppression Occur?*

What harm would there be in depending solely on proxy advocacy for the linguistically incompetent? Why could one not be confident that participants in discourse would selflessly consider the needs of those who cannot participate as equally important as their own, and thus only redeem norms that do not conflict with the principle that one always ought to protect the life, health, and well-being of the weakest and most vulnerable members of the human race?

One obvious problem with this is that throughout history horrendous atrocities have been perpetrated on the weak and the defenseless by those who fail to take their needs into consideration. Consider recent instances of oppression: the paternalism of slave-owners in antebellum America, the British during the Irish potato famine, and Soviet collectivization policies. There are also dubious forms of "advocacy" today. Richard Brandt and Peter Singer, argue that the decision concerning which infants should live or die is based on the ability of mature, rational adults to foresee their quality of life.[17] While Brandt and Singer derive the permissibility of infanticide from utilitarian calculations, even if linguistically competent adults were to enter into discourse to validate their claims, non-consensual "mercy-killing of those without the requisite quality of life" is

16. For the distinction between "constitutive" and "formative" rules of discourse, see *ibid.*, p. 91. This distinction makes it all the more difficult to allow as part of the conduct of discourse any supplemental substantive constraints.

17. Richard Brandt, "Defective Newborns and the Morality of Termination," in John Arthur, ed., *Morality and Moral Controversies* (Englewood Cliffs, NJ: Prentice-Hall, 1996), pp. 176f.; Peter Singer, *Practical Ethics* (Cambridge: Cambridge University Press, 1979), p. 153; and *Re-Thinking Life and Death* (New York: St. Martin's Press, 1994), pp. 115-131.

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permissible, given the linguistic requirements for participation in discourse. There can be no *moral* obligation for any participant to advocate the needs of these linguistically incompetent infants within discourse unless it can be shown to derive from the logic of argumentation. What goes for linguistically incompetent infants applies also to the linguistically incompetent elderly, insane, or retarded. Thus, it is conceivable that if tissues from aborted fetuses can be used for research, as is now possible in the US, there is no reason why discourse could not validate a norm which permits organ harvesting or medical experimentation on linguistically incompetent adults. Opportunities for oppression are not limited to these macabre examples. One can also conceive of the possibility for various forms of enslavement and neglect, e.g., the denial of adequate health care or educational opportunities, and protection from physical harm, as might occur in time of war or economic collapse.

Advocacy on the Basis of Thought Experiments

Does universalization *always* require a duly-constituted discourse to validate norms? After all, John Rawls' theory of justice derives principles of justice through thought experiments, independently of actual discourse. In the original position, behind the veil of ignorance, "no one knows his place in society, his class position . . . nor his fortune in the distribution of natural assets and abilities."[18] Accordingly, the state of one's mental health or stage of development is similar to one's religious beliefs or economic status, that is the question of whether one is a fetus, profoundly retarded, or a mentally and linguistically competent adult would remain unknown. Conceivably, since people would seek principles to protect themselves in the event that they turned out to be among the less fortunate, on the basis of universalization these principles may be applied to the mentally or linguistically incompetent. For Habermas, however, thought experiments, if not open to the charge of elitism he levels at Rawls,[19] run the danger of collapsing into "an egocentrically conceived universalizability test," which does not yet imply "that a maxim would be accepted by all as the moral yardstick of their actions."[20] Accordingly, it is not possible to fulfill the universalization requirements without discourse.[21]

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18. Quoted in Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 1992), p. 62.
19. Habermas, *Moral Consciosness and Communicative Action*, *op. cit.*, p. 66.
20. Habermas, *Justification and Application*, *op. cit.*, p. 7.
21. Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, p. 91.

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More specifically, when it comes to legitimating which norms are in everyone's interests (on the basis of everyone's willingness to accept the consequences, etc.), it is necessary to rely on procedure as defined by discourse. To argue otherwise undermines the very necessity of discourse.[22] Thus, if the imperative for employing discourse is ignored in regard to the linguistically incompetent, then *discourse is not really needed for determining norms of action.* The reason is simple: if, on the basis of non-discursively validated reflection, moral intuition or conventional substantivity it is possible to decide what is in the best interest of another moral subject, then, by universalization, it is possible to do the same for moral agents, whereby universality can be decided without discourse. Stretching universalization to include non-participants in discourse undermines the epistemic value of discourse and, finally, the very need of it. Discourse would be at best a way of including as many of those affected as possible in a process of cooperative social action, but it would have no epistemic value. Socially-determined validity and normativity would be irretrievably separated.

Crucial to Habermas' arguments for the superiority of discourse ethics over Rawl's theory of justice is that the need to restore or to build an intersubjectively valid consensus requires discourse. Thus, there are non-epistemic grounds for discourse.[23] Once the emphasis is placed on a deontological definition of discourse, the range of "all affected" is circumscribed in principle to include only those who can actually participate in it.[24] Should Habermas insist on concrete participation as circumscribed by discourse as the fulfillment of either universalization or the logic of argumentation, this will inevitably result in the weakening of "what-if-that-were-me" type considerations. Those who would supplement discourse

22. The notion that one can rationally justify norms of action without discourse is ruled out by Habermas. To cite only the most obvious example: the theory of communicative action, the theoretical architectonic of discourse ethics, is designed to show the inevitability of discourse for modernity in respect to virtually every sphere of life. Moreover, discourse represents the culmination of the principles of democratic government.

23. Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, pp. 199-203. While these reflections begin from a recognition of the centrality of an "ethics of compassion" and a "principle of solidarity," leading to the flourishing of an ethical life that would allow space for advocacy for the linguistically incompetent, Habermas insists that "all moralities coincide in one respect: the same medium, *linguistically mediated interaction*, is both the reason for the vulnerability of socialized individuals and the key resource they possess to compensate for that vulnerability." Thus, the primary concern of discourse ethics is "insuring that the interests of individuals are given their due without cutting the social bonds that *intersubjectively* unite them." Italics added.

24. *Ibid.*, pp. 89f.

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must introduce norms of action as substantive rules achieved non-discursively. This violates Habermas' insistence on a deontological procedure for validating norms. To introduce substantive norms to amend the conduct of discourse is to undermine its purpose, since this assumes that one can determine normativity independently of discursive validation.

Justifying Advocacy from Performative Contradiction

Another possibility is that, just as discourse is derived from the rules of argumentation, the epistemic warrant that results in universalization and discourse can be extended to derive the principle of caring for the weakest and most vulnerable, and thereby to make advocacy constitutive of discourse. According to the theory of communicative action, participants in discourse seeking a rational consensus can only do so by remaining within the transcendental-pragmatic boundaries set by reciprocity and symmetry. Whatever would be required for rational consent depends on the willingness to extend it to other participants. Anything less results in performative contradictions.[25] Thus, as pragmatic presuppositions of argumentation-cum-communicative action, universalization and discourse are presumably much more than what modernists happen to believe as a matter of historical contingency. According to Alexy's rules of discourse, a person commits a performative contradiction by either silencing or foisting an interpretation on another potential participant. It is this feature in particular, the universality of the rules of discourse, that helps justify Habermas' universalist aspirations, and thus prevents his discourse ethics from being merely the favored sentiments of post-metaphysical liberals. Clearly, this is not the least of its advantages over the theories of Rawl or Richard Rorty.

But could not what holds for those engaged in argumentation apply to the linguistically incompetent? Where, in a strict reading of the linguistic requirements for participation, this silencing/foisting by the linguistically competent of the linguistically incompetent occurs, would this not contradict Alexy's rules (3.2) b, "Everyone is allowed to introduce any assertion whatever into the discourse," and c, "Everyone is allowed to express his attitudes, desires, and needs"?[26] Unfortunately, the procedural severity of Alexy's rules leave no room for such manipulation. Insofar as universalization and discourse are grounded on the "transcendental-pragmatic" presuppositions of communicative action, i.e., where

25. *Ibid.*, p. 93.
26. Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, p. 89.

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acts of communication are occurring or have the potential of occurring, those incapable of discourse are not covered. Close inspection of Alexy's rules reveals that, in order to qualify as a potential participant whose exclusion plunges those who do the excluding into a performative contradiction, a person must be capable of articulating attitudes, desires, etc. Where symmetry and reciprocity conditions obtain in discourse, universalization is generated by an inconsistency in A's not recognizing B's expressed desires when A wants B to recognize his desires. However, in the event that a linguistically incompetent person cannot articulate coherent desires, or is incapable of making, responding to, or being convinced by arguments, Speaker A can refuse to recognize the linguistically incompetent person without ending up in a performative contradiction, since he is not refusing the linguistically incompetent person anything that he wants or might receive from such a person. It would be similar to demanding of a butcher, "You must be willing to consider the animals' needs, since you expect them to consider your needs." Since the animals cannot consider his needs, the butcher has, on the basis of the implied reciprocity rule, no obligation to consider theirs. When reciprocity is tied to linguistic competence, it fails to obligate the linguistically competent to make room for inarticulate concerns.

The barring of the needs of the linguistically incompetent from discourse holds as well in cases of advocacy for them by the linguistically competent. First, not every desire expressed by a participant in discourse is automatically universalizable. If a wealthy participant wishes everyone to agree to some norm, e.g., that material goods "should be distributed according to *laissez faire* market principles," this will not necessarily be agreed to by all affected, since *ex hypothesi* it does not express a universalizable interest for the linguistically competent poor and disenfranchised. By the same token, assuming B is ethically committed to the protection of the linguistically incompetent, it does not follow from the rules of discourse that this initially private interest will be universalizable. "Ethical" must be distinguished from "moral": "Moral-practical discourse detaches itself from the orientation to personal success and one's own life to which both pragmatic and ethical reflection remain tied."[27]

Thus, if the linguistically incompetent are subjected to discursive probation, what kind of reception is possible? "The . . . maxim may . . . be unjust if its general observance is not equally good for all," and (again) "an

27. Habermas, *Justification and Application*, *op. cit.*, p. 15.

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egocentrically conceived universalizability test does not yet imply that a maxim would be accepted by all as the moral yardstick of their actions. . . . Only if my identity and my life project reflected *a universally valid form of life* would what from my perspective is equally good for all in fact be equally in the interest of all."[28] In fact, A can object that he does not wish B's advocacy for non-participants to affect the outcome of discourse without committing a performative contradiction, since, strictly speaking, symmetry and reciprocity do not obtain in cases of extra-discursive advocacy. Rather than contradicting another speaker's right to full participation, A simply refuses to acknowledge or to "validate" B's essentially "substantive" (non-discursively-redeemed) value. For Habermas, the only way a performative contradiction is involved is if excluded participants are "indistinguishable in their capacity as *participants in argumentation* in all relevant respects from the other participants."[29]

Attempts at Justifying Advocacy

Attempts to broaden Habermas' theory to include the linguistically incompetent, turn out to be either too weak to support concern for the weak and vulnerable or they circumvent the epistemic function of discourse. Seyla Benhabib recognizes that discourse ethics risks exclusion of "infants and young children," "the handicapped, mute and deaf," "the mentally disabled," and that in order for universalization to be more than an arbitrary convention it must make certain substantive assumptions. Part of her solution is to expand communication to include "body gestures, behavior, facial expressions, mimics and sounds."[30] But who is going to interpret which needs non-linguistic gestures express? Is it the parents, teachers, social workers, or behavioral scientists? And how would one ever know whether these needs represent those of the linguistically incompetent or of the advocate? Even if it were possible to know this, there is no guarantee that the advocate would actually protect the life or health of the linguistically incompetent. Brandt believes it is in the best interest of the defective newborn to terminate its life. At any rate, Benhabib's qualifications are too strong if her broader concept of communication fails to distinguish between moral agents and moral subjects. Thus, will animal rights activists seize the opportunity to introduce the animal

28. *Ibid.*, pp. 7-8. Italics added.
29. *Ibid.*, 91.
30. Seyla Benhabib, *Situating the Self: Gender, Community and Postmodernism in Contemporary Ethics* (New York: Routledge, 1992), p. 58.

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world to discourse on the basis of grunts and growls? If so, does anyone really think that substantive preconceptions of what is moral or immoral will not determine how those inarticulate sounds are interpreted?

There is a further problem concerning the epistemic function of discourse. If discourse is to serve this function, and if it is to remain deontological, it cannot be supplemented with irredeemable moral goods, nor can it be regarded as a hypothetical procedure allowing for speculation concerning what someone not participating might contribute to discourse. If we already know which moral goods are needed to supplement discourse, why do we need discourse to tell us which norms are moral?

Skirbekk argues that "those affected by the implementation of norms" must include future generations and animals, as well as linguistically-incompetent people. He argues for an "advocatory representation" of agents in discourse for subjects modeled along the lines of adult supervision of minors. He is insistent, however, that despite this widening of the discursive net, "the discursive element [in Habermas' theory of discourse] remains untouched" although "the participatory and consensual aspects are weakened by the introduction of these forms of advocatory representation."[31] In other words, discourse for the determination of valid norms can occur *without* direct participation and consent.

Skirbekk appeals to the widespread acceptance of granting rights to minors in "our countries" (i.e., Western societies) — rights carrying obligations for others to care for the rights-holders in specific ways: "*unnecessary* infliction of pain on non-human sentient beings is . . . considered immoral. . . ."[32] He may have something like care for the linguistically incompetent weak and vulnerable in mind. Once again, like Benhabib, he fails to consider the ramifications of his emendations to Habermas' theory, for the "discursive element" is thereby not just "touched," it becomes superfluous. What sort of discourse could this possibly be, unless it were one conducted with the assistance of thought experiments or moral experts of one kind or another? The participatory and consensual aspects of discourse are what make it a discourse. Without these, it is effectively eviscerated.

The problem is not just the incoherence of a theory of discourse in which consensus and participation are bracketed. It is also related to Habermas' claim that what is moral must be defined in terms of a formally-achieved consensus of all affected. Anything less is "substantive," not deontological. Whether normative supplementation arises from a pre-modern

31. Skirbekk, "The Discourse Principle and Those Affected," *op. cit.*, p. 68.
32. *Ibid.*, p. 67. Italics added.

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form of life or from "our" post-industrial lifestyle, a normative constraint cannot be added to discourse; at best, it can only be its contingent product. Thus, whatever norm motivates Skirbekk's emendation, it is merely an "ethical" value, at best a candidate for validation, but not a presupposition of any properly-conducted discourse. Ultimately, in Habermas' definition, a duly-constituted discourse can be strictly limited to those who are linguistically competent, and can be perfectly legitimate, without ever considering the needs of anyone unable to participate.[33]

Advocacy through Ethical Discourse

The strongest objection to this critique would be that moral discourse was never intended to stand alone. It is always embedded in a "sea of praxis," i.e., the lifeworld in which everyone lives determines the outcome of discourse, making a radical departure from widely-held background assumptions regarding the most vulnerable highly unlikely. It has also been argued that, since Habermas allows for ethical considerations to inform certain types of political discourse, there could be room for advocacy to prevent oppression of the linguistically incompetent. Of course, this sort of response is difficult to answer, precisely because of its indeterminacy. It argues against the possibility of oppression on the basis of contingent probability. How *does* one predict to what degree a habitus will continue to uphold a particular moral precept? Ultimately, one is left with a judgment call as to the likelihood that ethical substantivity will prevent oppression, and perhaps discourse theorists will feel confident that participants in discourse will always place the needs of the linguistically incompetent on the same level as their own. Their optimism notwithstanding, greater clarity on the distinction between ethics and morality will in turn suggest how much influence ethical substantivity can bring to bear on moral discourse.

For Habermas, "ethical" refers to a rather thin notion of what has been called "substantive" belief. The following examples of "substantive"

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33. In one mention Habermas makes of advocacy, there is no elaboration of what it would mean for the *conduct* of discourse: "All contents, no matter how fundamental the action norm involved may be, must be made to depend on real discourses (or advocatory discourses conducted as substitutes for them)." See Habermas, *Moral Consciousness and Communicative Action*, *op. cit.*, p. 94. His reasons for that reluctance are obvious. But if the needs of the linguistically incompetent are to be represented (and not merely that advocatory discourses could be conducted for the linguistically competent, pending their actual participation), it is difficult to see how this mediation could survive a procedural challenge from the linguistically competent.

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ethics derived from a community of belief are instructive: (1) Care for the linguistically incompetent is morally obligatory, and this is because a norm which contradicts such care violates the *sanctity* of human life. Each human life is *sacred,* because each is endowed with the divine image by God at conception, and since He is the giver of life, no one can electively choose to take another's life, or to threaten his health or well-being, for any reason. Compare this type of substantive commitment with the following: (2) As devout Catholics, a couple wants their children to be raised in their faith, i.e., to have a Catholic cultural identity. In order for this to occur, it is important that those belonging to their community observe the principle of care for the linguistically incompetent.

In (1), the premise "human life is endowed with the divine image by God" is not simply part of the belief-cum-identity network of a religious community, but a "metaphysical" claim in the strong sense that it appeals to a reality transcending humanity, and thus carrying strong normative implications able to "trump" any consensus arrived at by groups of moral agents, even if that consensus is achieved under ideal conditions. In (2), there is no metaphysical reference, since the focus is on what members of a community consider to be "the good life." Thus, (2) has far less normative "heft" than (1), and ultimately only asks for cultural space for what amounts to a particular communal "lifestyle," lacking explicit normative claims that could impinge on anyone else's right to, say, an abortion.

Habermas allows for the inclusion of "ethical" considerations in political discussions concerning public policies.[34] When he speaks of these ethical commitments being included in political discourse, however, he has in mind only the kind of claim expressed by (2). He sees ethics as having to do with "authenticity," "recognition," or "self-realization."[35] This is why he sometimes refers to ethics as having a "clinical" function, i.e., the self-realization and recognition of one's unique identity necessary for the individual's emotional and psychological well-being. So defined, an argument for introducing ethical concern into moral discourse might look something like the following: In order for some groups to engage in actions meant to fulfill their need for authenticity and self-realization, they require a community sharing a vision of the good life, and insofar as this requirement represents a basic human need, it requires making certain allowances for the expression of that good. One of these allowances is that in communal practices they be allowed to observe the principle of

34. Habermas, *Justification and Application*, *op. cit.*, pp. 108f.
35. *Ibid.*, pp. 1-17.

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care for the linguistically incompetent.

Needless to say, the public policy consequences of such a claim on those not embracing this particular life-form will be sharply delimited in moral discourse.[36] Even if ethical values are provisionally allowed to determine law, Habermas makes it clear that norms (arrived at via a discursively-regulated universalization test) "trump" values.[37] In the final analysis, both the legislature and the judiciary must employ discursively universalizable principles of justice: "the law of a concrete legal community must, if it is to be legitimate, at least be compatible with moral standards that claim universal validity beyond the legal community."[38]

In his response to Charles Taylor's account of multiculturalism, Habermas seems to acknowledge the obvious, *viz.*, that the state cannot march in and demand that ethical substance be abandoned, and that all political conflict be henceforth resolved through the universalization principle. He allows for ethical considerations, albeit without having them determine the range of application of basic rights: "To the extent to which the shaping of citizens' political opinion and will is oriented to the idea of actualizing rights, it cannot, as the communitarians suggest, *be equated with* a process by which citizens reach agreement about their ethical-political self-understanding. But the process of actualizing rights is embedded in contexts that *require* such discourses as an important component of politics, i.e., discussions about a shared conception of the good and a desired form of life that is acknowledged to be authentic."

If "actualizing" a right refers to understanding what it means to have a certain right, i.e., the right to one's body or the right to life, this would appear to mean that "ethical" reflection cannot determine this or be equated with it. Nevertheless, the implication is that such discussions must occur within contexts in which discourse is important to the aspirations of ethical communities. Thus, moral discourse (read: non-ethical,

36. *Ibid.*, pp. 6-7: "We approach the moral outlook once we begin to examine our maxims as to their compatibility with the maxims of others. . . . A mode of examining maxims . . . guided by the question of how I want to live involves a *different* exercise of practical reason from reflection on whether from my perspective a generally observed maxim is suitable to regulate our communal existence. In the first case, what is being asked is whether a maxim is good for me and is appropriate in the given situation, and in the second, whether I can will that a maxim should be followed by everyone as a general law. The former is a matter for ethical deliberation, the latter for moral deliberation, though still in a restricted sense, for the outcome of this deliberation remains bound to the personal perspective of a particular individual."

37. Habermas, *Between Facts and Norms*, *op. cit.*, p. 255.

38. *Ibid.*, p. 282.

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and thus having nothing to do with authenticity, self-realization, and the rest, but with universalizable interests) has the final say, but ethical considerations can be raised *as long as they have only to do with the need of a community for recognition or self-realization.*

Consider the ramifications of allowing substantive ethical discourses determine normativity for Habermas' post-metaphysical commitments. Since competing visions of the good would be the subject matter of discourse, it would inflate discourse to include pre-modern cosmologies, teleologies, and theologies. This would collapse any theoretical distinction between Habermas and Alasdair MacIntyre's theories. For the latter, the practical reason embedded within diverse communities is adjudicated, and justification is achieved in the context of the *agon* of traditions of inquiry in which rival theories of the good seek to demonstrate their rational superiority. Metaphysical commitments come in as part and parcel of these contests. Given Habermas' commitment to the *telos* of intellectual history, he cannot allow for the possibility that robust metaphysical beliefs are capable of discursive justification. Discourse ethics is designed to repair the ruptured consensus brought on by disenchantment and secularization, while at the same time acknowledging the essential rationality of these processes. Habermas would in effect be forced to agree with MacIntyre that the Enlightenment (as Habermas understands it) was an aberration.

Thus, whereas the democratic legitimation of law will necessarily take into consideration the diverse voices of communities as regards their need for recognition, this will have hard boundaries, specifically where those commitments begin to take on definite metaphysical claims. Habermas believes that any metaphysical grounding for communal ethics is not just moribund, but already dead.[39] His allowance for ethical contribution is always a matter of political expediency, and it is only in regard to the need for recognition, etc. Ultimately, in Habermas' theory even the hope that things just could not go awry is not a genuinely moral one. Whereas, in the present historical context, a community of Rortian liberals may wish to avoid cruelty, in a strictly discursive deontology this value must not be viewed as anything more than an ethical concern that can only affect the outcome of discourse contingently or be seen as anything more than the need of one group to gain authenticity and self-actualization.

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39. *Ibid*, pp 98f. and 94f. respectfully.

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Conclusion

The claim that all moral subjects (as opposed to moral agents) can count on advocatory representation founders on the strict deontological justification Habermas provides. The problem of oppression does not appear resolvable. The last best hope for such advocacy is through a rather indeterminate appeal to ethical life, but this amounts to arguing from chance, and is not part of a theoretical justification. The treatment of the linguistically incompetent in ways they would not want is not excluded by the machinery.This would not entail that care for them cannot be justified through appeal to some other component of Habermas' theory, but it does imply that deontological justification, at least in the sense of a purely procedural justification for norms based on the logic of argumentation, must be either modified or abandoned in favor of a more explicitly substantive model that accounts directly for their concerns. How such a move would affect other basic components of Habermas' theory, such as his insistence that substantivity is bound up with non-universalizable forms of life and visions of the good no longer credible or accessible under the post-metaphysical conditions of modernity, must be taken into account in any such reformulation.

Still, just as there is nothing in Habermas' account that would suggest that care for the linguistically incompetent weak and vulnerable would be discursively validated, there is also nothing to suggest that norms contradicting this principle would be validated. It is in this sense that Habermas is a strict proceduralist. Insofar as discourse is a process, there is no way to stipulate or to guarantee any outcome other than that which all who participate agree to. There can be no guarantee that the needs of the linguistically incompetent would be protected. Yet, the possibility of oppression is considerably less than trivial, and in the current context the use of people in ways they would not want is already underway, as is the case with abortion. Perhaps the great irony of discourse ethics is that nobody would wish linguistically incompetent loved ones to be affected by it. It remains for those discourse theorists who think things could never go this far to show why this is the case.

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Toward an Autopsy of the Marxist Theory of the State

Joseph R. Stromberg

Really Existing Socialism Collapses, Marxism does not

The collapse of "really existing socialism" should have resulted in a reduction in Marxist theorizing. But Marxism, whose institutionalized otherness is dead everywhere except in Cuba, North Korea, and a few other redoubts, continues to thrive. Its social base is not any industrial working class, but an entrenched army of academics living off surpluses generated by the market economy. Some of these academics even welcomed the Soviet collapse for relieving them of having to apologize for "really-existing-socialism," or having to take it into account while discussing the glorious future of more democratic, participatory forms of socialism.[1]

The entrenchment of Marxist academics has more important consequences than simply stimulating the sale of work-boots and flannel shirts in college towns. It also contributes to the poverty of public discussion. Already in the last century, Michael Bakunin pointed out that Marxism serves as an ideology for an aspiring "New Class" of savants, social engineers, and techno-bureaucrats.[2] The situation is even worse with Marxism's bastard step-children: post-structuralism, deconstruction, hermeneutics, "critical studies," "multiculturalism," radical feminism, etc. For them, Western civilization has been evil, hegemonic, imperialist, racist,

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1. Cf. the authors cited by Marvin Harris, "Distinguished Lecture: Anthropology and the Theoretical and Paradigmatic Significance of the Collapse of Soviet and East European Communism," in *American Anthropologist,* Vol. 94, No. 2 (June 1992), pp. 296-97.

2. Sam Dolgoff, ed., *Bakunin on Anarchy* (New York: Vintage Books, 1972), pp. 295, 318-19; More recently, Milovan Djilas and others have made the same point. See Milovan Djilas, *The New Class* (New York: Frederick A. Praeger, 1967).

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and insensitive from at least the 4th century BC. Nothing can be done but throw the whole thing over and wait to see what the brave New World Order of postmodernism will put in its place.[3] Remarkably, one form of knowledge is exempt from their drastic conclusions: Marxism. After all, the Marxist critique is the forefather of theirs, and their intellectual production grows out of Marxist assumptions. The simplified model of two-class struggle carries over from Marxism into several of its stepchildren.

Two recent works illustrate the problem. The first is Sande Cohen's *Historical Culture*, which claims that history cannot be written. Presumably, historical "narrative" is reactionary, because it assumes a "privileged" position for the author's "voice," creates false teleologies, and is wickedly cruel to the reader who has a right to learn the horrible truth about the present situation. The way to this truth is "theory," i.e., Marxism, whose validity is presumaed to be obvious. Historians should stop pretending there is such a "thing" as history, and do theory. Even Marxist historians, *qua* historians, come in for a drubbing. The results are mixed. Thus, Cohen writes: "Much of the melodramatic prose of contemporary western Marxism is on the trapdoor to intellectual oblivion. Instead of furthering the fracturization of the signifier from the signified (the principle of heterogeneity without identity) and thus *not at all privileging any form of the signifier* (gestural, verbal, cognitive), which involves a demonstration that even 'negativity' is another kind of 'identity,' Western Marxists recoil."[4] Anyone minimally familiar with English would recoil at such theoretical prose. This sort of thing can be translated, but the results are usually meager, as C. Wright Mills once showed by translating Talcott Parsons into English.[5] In a display of cosmic nitpicking, Cohen spends most of his book setting up numbered sets of sentences and fragments from other historians, which he calls "lexias," and then disembowels using a vocabulary of goofy neologisms vaguely based on Greek and Latin roots. Had he and his tribe not held positions from which to undermine whole disciplines, the whole thing might have been dismissed as a bad joke.

Cut from similar cloth, David Theo Goldberg has a better plan of action. Taking Marxist economics as absolutely true, he argues that "race"

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3. Cf. Charles J. Sykes, *Profscam* (New York: St. Martin's Press, 1988) pp. 141-47 and 179-99.

4. Sande Cohen, *Historical Culture* (Berkeley: University of California Press, 1986), p. 181.

5. C. Wright Mills *The Sociological Imagination* (New York: Oxford University Press, 1970), pp. 25-33.

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(which he puts in quotes as often as possible) is a social construction.[6] It is a product of modernity, which in turn is a big evil deriving from the thousand or so evils inherent in European civilization. Western thinkers have conspired since about 1492 to bother their brethren overseas by conquering them, studying them, conceptualizing them as Others, and forcing them to participate in the West's modernizing "project" with its bourgeois liberalism, impoverishing market economy, and racial exclusions.[7] Here and there a little light breaks through, but it hardly repays the effort of reading the rest. Goldberg calls for leftwing lawyers, radicalized federal bureaucrats and judges capable of believing all this nonsense to implement a program of "anti-racism" on a broad front. This will involve bureaucracies and pressure-groups of the "excluded" investigating, penalizing, harassing, and re-educating all those benighted "social subjects" (formerly "individuals") who engage in racist speech, gesture, or action (as defined by Goldberg and his fellow clerics) — at work, at play, whatever.[8]

While old-fashioned Marxists and their theoretical cousins do not dominate discussion in or out of universities (except perhaps as the evangels of "political correctness"), their prominence pushes the discussion toward statism. Since the industrialized world is already knee-deep in statism — the proud legacy of three generations of social democrats, corporatist liberals, and flabby "conservatives" — another push in this direction is hardly welcome. At the same time, the conformist mass media buy into the latest intellectual fads and retail them to larger audiences. In this politicized atmosphere, it is necessary to attack Marxist theory precisely where the ideological, political, and economic intersect: the theory of the state.

Sources of the Marxist Theory of the State

It is a commonplace that Karl Marx' system is a synthesis of early French socialism, Hegelian philosophy, and Ricardian economics.[9] What is interesting here is the connection with early French socialism. As a growing body of scholarship demonstrates, Marx's concept of class

6. David Theo Goldberg, *Racist Culture* (Oxford: Blackwell Publishers, 1993), p. 86 and *passim.*

7. See, generally, Keith Windshuttle, *The Killing of History: How Literary Critics and Social Theorists are Murdering Our Past* (San Francisco: Encounter Books, 1996).

8. *Ibid.*, pp. 225-28. All this comes from someone who imagines that the "Declaration of Independence" is *in* the *Constitution. Ibid.*, p. 242n. In this is an ambitious program, the zany jurisprudence of Ronald Dworkin meets the social engineering of Josef Stalin. Liberty is not a major interest of Goldberg.

9. Cf. V.I. Lenin, "The Three Sources and Three Component Parts of Marxism," in *Lenin: Selected Works* (New York: International Publishers, 1971), pp. 20-24.

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struggle defined in terms of social and economic relations is indebted to an early 19th century French school of extreme *laissez faire* liberals. These writers, the "industrialists," viewed society as a combination of natural outcomes based on spontaneous order and artificial outcomes based on arbitrary state power. Their conclusion was to eliminate unnatural outcomes in order to unleash the full flowering of spontaneous order and human freedom. Given their starting point in utility and *laissez faire* economics, they called for the freeing of markets and the reduction of state power to its absolute minimum.[10]

These "industrialists" saw large-scale social conflict as resulting from "relations of state,"[11] a view they shared with English liberals such as Richard Cobden, John Bright, and Herbert Spencer, and American republicans like John Taylor, Thomas Jefferson, and John C. Calhoun. Their notion of a politically-based class struggle contraposed the state (feudal, military, and bureaucratic classes, allied with established churches, government bondholders, state-created monopoly capitalists, etc.) to the market (capitalists, middle classes, workers, farmers, cooperating in an unhampered market economy). The point for any liberal movement would thus be to reduce state power as far as possible to the point where "everyone worked and no one governed."[12]

This liberal concept of class conflict underwent considerable modification at the hands of Saint-Simon and his secretary and successor Auguste Comte. Both recoiled from the "anarchy" of the liberal model, and combined the counterrevolutionares' concern for order with the goals of liberalism: peace and prosperity. They agreed with curtailing the feudal orders, but located *some* class conflict in the market. Thus, a class of experts — engineers, bankers, and (oddly) artists — was necessary to guide the otherwise unstable market society. Taking social categories as more or less "given," the Saint-Simonians sought to analyze and direct

10. See Leonard P. Liggio, "Charles Dunoyer and French Classical Liberalism," in *Journal of Libertarian Studies*, Vol. 1, No. 3 (Summer 1977), pp. 153-78, Ralph Raico, "Classical Liberal Exploitation Theory: A Comment on Professor Liggio's Paper," *ibid.*, pp. 179-83, Mark Weinburg, "The Social Analysis of Three Early 19th Century French Liberals: Say, Comte, and Dunoyer," in *Journal of Libertarian Studies*, Vol. 1, No. 1 (Winter 1978), pp. 45-63, Joseph T. Salerno, "Comment on the French Liberal School," *ibid.*, pp. 65-68, and Ralph Raico, "Classical Liberal Roots of the Marxist Doctrine of Classes" in Yuri N. Maltsev, ed., *Requiem for Marx* (Auburn: Ludwig von Mises Institute, 1993), pp. 189-220.

11. See Murray N. Rothbard, *Man, Economy and State* (Auburn: Ludwig von Mises Institute, 1993), p. 930, note 53.

12. Charles Dunoyer, as quoted in Elie Halévy, *The Era of Tyrannies* (Garden City, NY: Anchor Books, 1965), p. 31.

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society using the methods of physics. Thus, they succeeded in creating a technocratic or managerial deviation from liberalism that flowed into modern statism in two forms: positivistic social engineering and, through Saint-Simonian socialism, Marxism.[13]

In late 19th century, positivism became popular in France and as the ideology of "liberal" dictatorships in Latin America, most notably that of Porfirio Díaz in Mexico. But, already by the 1820s, some Saint-Simonians concluded that centralized state control was necessary in the economy, thus eclipsing Saint-Simon and Comte by becoming Saint-Simonian socialists. In addition, some popular movements bought into Saint-Simonian ideas, and demanded state intervention for the workers and the restoration of corporative bodies destroyed by the Revolution.

The young Marx was familiar with Saint-Simon's ideas (both in their managerial and socialist forms) and those of his predecessors.[14] As he developed "scientific socialism," he combined French socialism (with its residue of liberal "industrialism") with Left Hegelianism and, in time, with English political economy as he understood it.[15] Hegelianism convinced Marx that there was a historical trajectory leading to socialism. The key would be the struggle of antagonistic classes torn from their liberal framework and defined by their relations to production: bourgeoisie and proletariat.[16]

13. On the Saint Simonian system, see F. A. Hayek, *The Counter-Revolution of Science* (New York: Free Press of Glencoe, 1955); and Émile Durkheim, *Socialism* (New York: Collier Books, 1962).

14. As Steven Seidman notes: "Marx was strongly influenced by historically and empirically oriented social theories — e.g., those of Saint-Simon and Savigny." Further: "Marx attended Savigny's classes at Berlin and was personally introduced to Saint-Simon not only by his father and Baron von Westphalen but also by his Berlin teacher Eduard Gans. . . ." See Steven Seidman, *Liberalism and the Origins of European Social Theory* (Berkeley: University of California Press, 1983), pp. 83 and 320, note 5.

15. The results were mixed. Schumpeter observes that Marx "sometimes uses terms in their specific Hegelian sense, and a reader who takes them in their usual sense misses Marx' meaning." For example, when Marx speaks of social "contradictions," he "means nothing but mutually counteracting facts or tendencies: these *are* contradictions from the standpoint of Hegelian logic." Joseph A. Schumpeter, *History of Economic Analysis* (New York: Oxford University Press, 1954), pp. 392 and 438n.

16. Unfortunately, "Marx' image of the proletariat was not of empirical origin." See Robert C. Tucker, *Philosophy and Myth in Karl Marx* (New York: Cambridge University Press, 1972), p. 113. According to Schumpeter, Marx' "preconceptions about the nature of the relations between capital and labor, in particular, he took from an ideology that was already dominant in the radical literature of his time." See Schumpeter, *History of Economic Analysis*, *op. cit.*, p. 389. Marx deployed his concept of the proletariat's historical mission to solve the essentially religious question of "alienation." See Tucker, *Philosophy and Myth, op. cit.,* and Murray N. Rothbard, "Karl Marx: Communist as Religious Eschatologist" in Maltsev, ed., *Requiem for Marx, op. cit.,* pp. 221-94.

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Ludwig von Mises writes that "Marx turned to socialism at a time when he did not yet know economics and because he did not know it." In the 1840s, Marx "naively advocated a program of interventionism"[17] to realize socialism. The Marxian synthesis created a powerful ideology: a predictive historical sociology with a message of human redemption steeped in an "atmosphere of prophetic wrath."[18] The Marxian edifice, however, concealed a range of conceptual difficulties.[19]

State and Society After Marx and Engels

Marxism provides a "scientific socialist" explanation of the past, present, and future organization of social existence. Central to this explanation is labor embedded in various systems of production. This "mode of production" determines the character of society. The productive system is organized around "relations of production," which correspond to "the forces of production." These "forces" and "relations" of production constitute the economic "base" of society and ultimately determine the legal, political, ideological, cultural, and religious features of society, which taken together constitute the "superstructure."

Thus, economic activity is primary. With the exception of tribal peoples living under primitive communism (the original mode of production), all societies have been divided into an exploiting and an exploited class from which an economic surplus is extracted. The method of surplus extraction is the key to defining a particular mode of production. The state — a specialized body distinct from the rest of society — is brought into being to control the class struggle. It regulates this struggle in the interests of the economically dominant class. Thus, in the ancient mode of production, slave-holders dominate the state, in the feudal mode of production, it is the aristocratic landlords, while in the capitalist mode of production it is the bourgeoisie, i.e., the class owning the means of production.[20]

Over time, changes take place in the "forces" of production requiring adjustment of the "relations" of production (such as ownership of resources, the status of labor, etc.) and an overhaul of the superstructure, especially the state, which regulates them. Thus, the motive force of historical

17. Ludwig von Mises, *Omnipotent Government* (New Haven: Yale University Press, 1944), pp. 150-51

18. Schumpeter, *History of Economic Analysis*, *op. cit.*, p. 384.

19. Ludwig von Mises, *Socialism* (London: Jonathan Cape, 1972), pp. 81 and 150-1.

20. See Karl Marx, *Capital,* Vol. I (New York: International Publishers, 1967), pp. 71-83; and Frederick Engels, "Socialism: Utopian and Scientific" in Robert C. Tucker, ed., *The Marx-Engels Reader* (New York: W.W. Norton, 1978), pp. 683-717.

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change is revolutionary class struggle, the purpose of which is the unleashing of new forces of production and the emergence as a new mode of production. Marx believed that he could explain the "transition" from slavery to feudalism, and from feudalism to capitalism in this fashion. The Puritan, American, and French Revolutions were part of the process by which the rising bourgeois class rearranged the social superstructure (legal system, state, etc.) to bring the capitalist mode of production into being, as "required" by new forces of production.

The final transition will be to communism. Like primitive communism, advanced communism will be free of class divisions and thus, in time, the state will "wither away," there being no reason rooted in the mode of production for its existence. Mankind will experience radical freedom, the fullest realization of individual and social existence, and the unification of subject and object. To those who believed that the end of slavery and serfdom effectively ended economic exploitation, Marx opposed a theory of value, according to which the apparently fair exchange of labor time for wages masks the fact that the workers are being cheated. Thus, one more revolutionary upheaval into a final mode of production will be necessary to finish the project of human emancipation. This is the end of exploitation. Unfortunately, there are numerous problems in this account.[21]

One of them has to do with the modes of production, specifically with "the Asiatic mode of production." In his early work, Marx developed this notion to explain the stagnation and apparent lack of any real "history" in India, China, etc. The Asiatic mode involved isolated peasant villages dependent on a bureaucratic state, which sometimes provided them with large-scale irrigation works, control of which gave the state considerable leverage over society. Marx concluded that the undifferentiated social structure of Asiatic village life could not have generated enough conflict to bring a state into being. To continue along these lines would have

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21. As Rod Aya observes, "several of the most elementary Marxian concepts (forces and relations of production, basis and superstructure, etc.) remain as fuzzy and ambiguous as they were a century ago." See Rod Aya, "Review of Barry Hindess and Paul Q. Hirst, *Pre-capitalist Modes of Production,"* in *Theory and Society*, Vol. 3, No. 4 (Winter 1976), p. 623. There is also the question of social "classes" as the real, acting "subjects" in history. See Benedetto Croce, "The Idea of Classes as Real Entities" in *My Philosophy* (London: Allen & Unwin, 1949), pp. 79-83. For a a critique of the Marxist concept of class from the Left, see Andrew Metcalfe, "The Ghosts That Walk: A Critique of Objectivism in Marxism," in *Mankind*, Vol. 17, No. 2 (August 1987), pp. 78-91. At any rate, Marx never really "explained" the transitions from one mode of production to another.

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called his causal theory of the origins of the state into question, since the Asiatic mode was incompatible with his larger theoretical system.[22] Later, Marxists tended to analyze Asiatic societies as variants of the feudal mode of production, in which ground-rent is the mode of surplus extraction and irrigation and bureaucracy take a back seat. While this has required considerable scratching of the overworked notion of "feudalism," from their standpoint it is preferable to admitting that a state could exist and exploit society in its own right (the industrialist-liberal position). In Marx's system, there is little room for the merely contingent.[23]

Because of the class struggle in the economic base, the state arises under each mode of production to serve the interests of the dominant class. But Marx was no antiquarian, and his fundamental interest was in understanding the *capitalist* mode and the way in which the bourgeois state served to reproduce the capitalist system. Taking the liberals' longing for a non-interventionist state as a valid description,[24] he and Engels downplayed any actual state involvement in the advanced nations' economies.[25] Thus, any state-created problems in those economies were attributed merely to capitalism's "laws of motion." Unlike under slavery and feudalism, where the role of naked force was evident, the capitalist economy's

22. See Karl A. Wittfogel, *Oriental Despotism* (New Haven: Yale University Press, 1967). Wittfogel, thought that Marx' successors deliberately suppressed the theory of Asiatic despotism because of its eerie resemblance to the Soviet state. For an application of Wittfogel's "hydraulic" model to the arid American West, see Donald Worster, *Rivers of Empire* (New York: Pantheon Books, 1985). Brendan O'Leary, *The Asiatic Mode of Production: Oriental Despotism, Historical Materialism and Indian History* (Oxford: Basil Blackwell, 1989) criticizes both the Marxists' and Wittfogel's theses in light of Indian history.

23. The Marxist edifice collapses if the labor theory of value is wrong. As David Conway writes, "The rejection of Marx' Labour Theory of Value removes the foundation of his entire economic theory." See *Farewell to Marx* (Harmondsworth: Penguin, 1987), p. 85. Some Marxists believe that Marxism can survive such a rejection. See David Gordon, *Critics of Marxism* (Bowling Green: The Social Philosophy and Policy Center, n.d.), pp. 35-36.

24. Ernest Gellner, no particular friend of the free market, has noticed this relation between liberalism and Marxism: "The Marxist Utopia was modelled on the *laissez-faire* market, but goes a stage further — a free market without even a market, just plain free activity without any swapping of products." See "A Social Contract in Search of an Idiom: The Demise of the Danegeld State?" in *The Political Quarterly*, No. 46 (1975), pp. 140-42.

25. On Marx "anarchism," see Robert C. Tucker, *The Marxian Revolutionary Idea* (New York: W. W. Norton & Company, 1969), pp. 84-91: "Marx' normative position with regard to the state was anarchism. . . ." Unlike the French liberals, from whom he inherited this view, Marx believed that class-division had to go before the state could "wither away." Consequently, he was at odds with his anarchist rivals "over the issue of whether a state was needed for the purpose of abolishing the state." Such a temporary "workers' state," whose working model Marx saw in the Paris Commune, amounted to a "dictatorship of the proletariat." This notion became a great bone of contention among Marxists.

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internal dynamics made it necessary only to safeguard the ownership of the means of production. The laws of "value" and "circulation" of money and commodities did the rest, robbing the workers of value and humanity.

After Marx' death, it became clear how ambiguous his theoretical legacy was. Engels continued to write within the framework he and Marx had created, inevitably reinterpreting the system or shifting its emphasis. In his most famous essay, written using Marx's notebooks, Engels claims: "As the state arose from the need to keep class antagonisms in check, but also arose in the thick of the fight between the classes, it is normally the state of the most powerful, economically dominant class, which by its means becomes also the politically dominant class and so acquires a new means of holding down and exploiting the oppressed class. . . . Exceptional periods, however, occur when the warring classes are so nearly equal in forces that the state power, as apparent mediator, acquires for the moment a certain independence in relation to both."[26] In addition to softening the doctrine by saying that the state is "normally" ruled by the dominant class and allowing cases in which the state could achieve "a certain independence," Engels helped create a fall-back position useful to later Marxists: the idea that "determination" by the economic base is "in the last resort."[27]

Karl Kautsky, who makes it onto George Lichtheim's short list of original codifiers of Marxism,[28] held generally that states originate in conquest.[29] This not unbelievable view, which seemed to apply to quite a few states, had long been a problem for Marxist orthodoxy. Already before Marx's death, Eugen Dühring had emphasized conquest and had argued that economic forces were not always determinant.[30] In the scathing *Anti-Dühring*, Engels objected, and Kautsky's personal deviation had no

26. Frederick Engels, *The Origin of the Family, Private Property and the State* (New York: International Publishers, 1972), p. 231.

27. Leszek Kolakowski, *Main Currents of Marxism*, Vol. I (Oxford: Clarendon Press, 1978), pp. 363-64. On substructural determinism, Kolakowski writes: "If interpreted rigidly, it conflicts with the elementary demands of rationality; if loosely, it is a mere truism" (p. 364). Like Engels, Plekhanov tried to make Marxist history more flexible "by admitting some measure of interaction between the sphere of production and other spheres of social life. . . ." See Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (New York: Harper and Row, 1950), p. 13.

28. George Lichtheim, *Marxism: An Historical and Critical Study* (New York: Praeger Publishers, 1965), p. 235. The others codifiers are Engels, Bernstein, and Plekhanov.

29. Kolakowski, *Main Currents of Marxism*, Vol. II (Oxford: Clarendon Press, 1978), p. 31.

30. According to Schumpeter, for Dühring " this 'causality' is often reversed — the truth being of course that there is interdependence between the conditions of production and the social structure." See Schumpeter, *History of Economic Analysis*, *op. cit.*, p. 441n.

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lasting impact on Marxist doctrine. Thus, orthodoxy still held that states arose because of internal social conflict.[31] In the crisis atmosphere leading to WWI, a number of Marxists turned their attention to imperialism. While they devoted much space to competition between established "bourgeois states," rising militarism, the capitalists alleged need for foreign markets, etc., they did not re-examine their assumptions about states. With the outbreak of WWI, Marxists thought that the war had unveiled the final crisis of capitalism and foretold the impending victory of the workers' revolution and the new golden age of communism. As historical contingency handed state power to Marxists in Russia, doctrinal authority moved eastward.

Bolsheviks on the State: Marxism-Leninism

Lenin wrote *State and Revolution* mainly to take advantage of the revolutionary situation in Russia in 1916-1917. As such, it represents a deviation from normal Leninism (i.e., the authoritarian rule of a vanguard party of *déclasse* intellectuals).[32] At the time, Lenin was combating the revisionism of Kautsky and Bernstein as well as the "utopian" views of the anarchists. He began working on the state in order to challenge Bukharin's views.[33] In 1916, Bukharin wrote that the state "is the most general organization of the ruling class. . . [It] exploits the people directly. . . ." Accordingly, "the power of arms and murder has thus become a brazen law . . . of *every* form of state without exception."[34] At first, Lenin denounced these views as "semi-anarchist," but then appropriated them in *State and Revolution.* Stephen Cohen observes that "Lenin's authority legitimized anti-statism, but the true initiative was Bukharin's."[35]

Through a careful sifting of Marx' and Engels' texts, Lenin was able to present revisionists as bourgeois statists and himself as faithfully

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31. For a criticism of the notion that all important social change is explained by immanent laws operating within bounded societies, see Robert Nisbet in *Social Change and History* (New York: Oxford University Press, 1970). Nisbet emphasizes such unpredictable factors as intersocietal contact, trade, conquest, and sheer accident, and argues that absent such intrusions societies show little change.

32. A. James Gregor disputes this and writes that the tragedy is that the book "reveals what Lenin *intended* his revolution to accomplish." See A. James Gregor, *Contemporary Radical Ideologies* (New York: Basic Books, 1968), p. 79.

33. Rodney Barfield, "Lenin's Utopianism: *State and Revolution*," in *Slavic Review*, Vol. XXX, No. 1 (March 1971), p. 50.

34. Nikolai Bukharin, "The Imperialist Pirate State," in O. H. Gankin and H. H. Fisher, eds., *The Bolsheviks and the World War* (Stanford: Stanford U. P., 1940), p. 237.

35. Stephen Cohen, *Bukharin and the Bolshevik Revolution* (New York: Princeton U. P., 1973), p. 43.

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orthodox while adopting the essentials of Bukharin's semi-anarchist position. Further, in his use of quotations, he evidently "agreed with Marx mainly when Marx agreed with Bakunin."[36] For Lenin, states arose on the ground of class antagonisms. Some institution had to control these irreconcilable contradictions. That institution, the state, "consists of special bodies of armed men having prisons, etc., at their command" and requires "taxes and state loans."[37] Yet, Lenin longs for its disappearance. Citing Engels, he writes that the revolution abolishes the bourgeois state outright and that the state which "withers away" into "the administration of things" is the workers' "semi-state": a "special coercive force" needed "for the suppression of the bourgeoisie" after their overthrow. This special force is the "dictatorship of the proletariat" — a "state," since it coerces the former exploiters, but also an innocuous state-in-the-process-of-withering-away because it abolishes classes, thus eliminating the need for the state.[38]

Carrying the attack to the reformists, Lenin elaborates Marx' complaint that all revolutions "perfected this machine instead of smashing it." The state's two chief components, the standing army and the bureaucracy, were parasitic "on the body of bourgeois society," however necessary they were for class rule. Rather than seize this machinery, the revolution must destroy it.[39] Lenin sees Marx' views on the Paris Commune as a prefiguration of this temporary state, with armed workers instead of standing army, and elected, revocable agents instead of officials. This was not a special body, standing over against society, but the organized people dictating to their former exploiters. The threat of bureaucratization would be met by hiring (at workmen's wages) as many managers and clerks as needed.[40] For the workers *not* to establish their own "state" would be much like laying down their arms and abandoning the revolution.[41]

Defending centralism against federalism, Lenin notes that democracy (as a *form* of state) will also wither away.[42] As for the transitional period, when the state withers away, Lenin foresees "restrictions on the freedom of the oppressors" until people become accustomed to the new rules of

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36. Stephen P. Halbrook, "Lenin's Bakuninism," in *International Review of History and Political Science*, Vol. VIII, No. 1 (February 1971), p. 111.
37. V. I. Lenin, "State and Revolution" in *Lenin: Selected Works* (New York: International Publishers, 1971), pp. 269 and 271.
38. *Ibid.*, pp. 274-78.
39. *Ibid.*, pp. 282-85.
40. *Ibid.*, pp. 292-93, 297-99.
41. *Ibid.*, pp. 301, 306-308.
42. *Ibid.*, p. 322.

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socio-economic life "without the special apparatus for coercion called the state." Coercion remains, but only in the hands of "the simple organization of the armed people": the soviet semi-state.[43] The transitional state will even enforce "bourgeois right" until socialist productive relations create their own ethical superstructure. Temporarily, then, there will even be "the bourgeois state, without the bourgeoisie"![44] Pending the time when people "voluntarily work according to their ability," there will be "the strictest control by society and by the state over the measure of labor and the measure of consumption," well beyond the mere expropriation of the bourgeoisie.

Economic accounting and control, already "simplified"(!) under capitalism, now become "extraordinarily simple operations — which any literate person can perform — of supervising and recording, knowledge of the four rules of arithmetic, and issuing appropriate receipts." The economy becomes a single syndicate and every person an employee of the withering-away state. "Swindlers," "parasites," and other bourgeois types cannot escape all this happy supervision and, ultimately, communism triumphs, and the vestigial state disappears.[45] Lenin spent a lot of time on the state, which for Marxism is ultimately a mere secondary symptom of class-divided social formations. No wonder the whole thing ended up the way it did.[46] Bolsheviks built the strongest, unwithering state in history, and after 1945 set up copies. This was "really existing socialism."

Rattling Chains, Stalin's Ghost, and Marxists in Denial

The power struggle within the Soviet party-state led to some questionable theoretical developments. The Soviet rulers' attempt to realize economic communism involved them in serious "contradictions" with the proclaimed revolutionary ends of human emancipation and economic advancement. Socialization raised the problem of how to allocate scarce resources rationally in order to satisfy human wants. Lenin had blithely passed over this question. At this exact juncture (1920-1921), Max Weber and Mises, among others, questioned whether a socialist system *could calculate* at all. Weber observed that it is "impossible to talk of a rationally 'planned economy' while. . . . no means for the construction of such a

43. *Ibid.*, pp. 327-29.

44. *Ibid.*, pp. 331-32, 335.

45. *Ibid.*, pp. 332-34 and 336-37. Elsewhere, Lenin claims that "the *postal service*" is "an example of the socialist economic system," *ibid.*, pp. 298-99.

46. See Stéphane Courtois *et al.*, *The Black Book of Communism* (Cambridge, Mass.: Harvard University Press, 1999), and Robert Conquest, *Harvest of Sorrow: Soviet Collectivization and the Terror Famine* (New York: Oxford University Press, 1986).

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'plan' is known." Mises showed how the whole project was impossible in principle.[47] Given the irrationality of a system without markets, communists in power could abandon communism, partly or *in toto*, or try inflicting it on society by suppressing all independent centers of social action. Lenin had spoken of the "*strictest* control" over economic life. Failure to crush feudal and bourgeois enemies would lead to a revived class-divided society with the bourgeoisie back in operation. Bolsheviks genuinely believed that "expropriation of the expropriators" (i.e., all private wealth) provided "the master switch" (in Eugen Löbl's phrase) for achieving the classless and *therefore* stateless society. It was their duty to suppress peasant property and trade, lest rich peasants turn into a new bourgeoisie. Marxists ended up ruling over the peasant "rabble" as an "aristocracy of real and pseudo-scientists" in the name of the industrial working class.[48]

Plekhanov had dreaded such a regime.[49] The disastrous episode of "war communism" (1918-1921), with its rationing and levies on the peasantry, led Lenin into the temporary "retreat" of the New Economic Policy (NEP). By 1923, Lenin confessed to "a radical modification of our whole outlook on socialism," such that the NEP market economy, rural cooperatives, and "peaceful, organizational, 'cultural' work" now seemed a sufficiently speedy road to socialism.[50] After a lifetime of political and literary debacles, Lenin had learned something; soon he was dead. Trotsky, Stalin, and Bukharin now jockied for control. Bukharin urged continuation of the NEP, portrayed Soviet Russia as a "two-class" society (in a good sense), and defended the "worker-peasant bloc," declaring that Russia would reach socialism "precisely through market relations."[51] Up against the growing Soviet bureaucratism, Bukharin, like Lenin, was a pioneer of "market socialism" out of desperation. Trotsky clung fiercely to the program of forced industrialization. His ally, Evgenii Preobrazhensky, derided any

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47. Max Weber, quoted in F. A. Hayek, *Individualism and Economic Order* (Chicago: University of Chicago Press, 1972), pp. 143-44. For "Austrian" accounts, see Ludwig von Mises, *Human Action* (Chicago: Henry Regnery Company, 1966), pp. 698-715, and Murray N. Rothbard, *Man, Economy and State*, *op. cit.*, pp. 544-50 and 830-32.

48. Eugen Löbl, "The Perspectives of Reform," in V. V. Kusin, ed., *The Czechoslovak Reform Movement 1968* (Oxford: Clio Press, 1973), p. 330; Dolgoff, ed., *Bakunin*, *op. cit.*, pp. 330-31.

49. Plekhanov had written that a leap into communism, absent a bourgeois revolution, could lead to "a political abortion after the manner of the ancient Chinese or Persian empires — a renewal of Tsarist despotism on a communist basis." See Kolakowski, *Main Currents of Marxism*, Vol. II, *op. cit.*, p. 335.

50. Lenin, "On Cooperation," *Selected Works*, *op. cit.*, pp.690-95.

51. Cohen, *Bukharin*, *op. cit.*, pp. 146, 200.

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alternative policy as "a reactionary petit-bourgeois Utopia," and pressed for "primitive socialist accumulation" paid for by peasant.[52] Stalin, at rest in the Workers' and Peasants' Inspectorate, sat by until he could seize total power.

Under Stalin, debate about the state or anything else (already limited to high-level Bolsheviks) ceased altogether. Work done in the "interregnum" before Stalin's rise to power was not all that remarkable. In 1921, while still free to polemicize, Bukharin had produced *The Theory of Historical Materialism*, which Kolakowski describes as a "book of an extremely simplistic kind, in some ways even more so than Lenin's *Empiriocriticism*."[53] From exile, Trotsky wrote numerous essays, mostly to the effect that Lenin had always agreed with him and had always been right. As far as political theory went, Trotsky held that Stalin had somehow hijacked the revolution, creating a bureaucratic ruling "caste" (to have said "class" would have been theoretically embarrassing) under Stalin's personal Bonapartist dictatorship.[54] Stalin's every ideological hiccup became Soviet doctrine, and party hacks wrote volumes of nonsense about how every important thinker had "led up" to him. Often, Stalin tried his hand at theory, all of which is painful to read.

Squaring the Circle with Relative Autonomy

Stalin's death and the Soviet invasion of Hungary drove Western Marxism to new paths. Since Marxists still wished to engage in political struggle, they continued to denounce capitalism as fervently as ever, and some of them began theorizing the problems of "really existing socialism." Paul Sweezy and his collaborators at *Monthly Review* sought to do so by grafting Keynesian economics onto Marx. While their analyses of US imperialism were of some interest, they remained thoroughly orthodox. In the New Left, there were two main trends. There were those influenced by Marxism, who sought to deal with issues of power and empire: William Appleman Williams, Barrington Moore, Jr., C. Wright Mills, etc. These men were not Marxists, strictly speaking, and Williams was a Beardian.

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52. Evgenii Preobrazhensky, "Peasantry and the Political Economy of the Early Stages of Industrialization" in Teodor Shanin, ed., *Peasants and Peasant Societies* (Oxford: Basil Blackwell, 1987), pp. 403-410; and Isaac Deutscher, *The Prophet Unarmed, Trotsky: 1921-1929* (New York: Vintage Books, 1959), pp. 223-45.

53. Kolakowski, *Main Currents of Marxism*, Vol. III, *op. cit.*, p. 61.

54. *Ibid.*, 183-219. For an entertaining discussion of Trotsky's American acolytes, see Justin Raimondo, *Reclaiming the American Right* (Burlingame: Center for Libertarian Studies, 1993), pp. 11-50.

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Other New Left scholars claimed the Marxist label: Eugene D. Genovese, E. P. Thompson, Raymond Williams, Eric Hobsbawm, and Perry Anderson. For other New Left authors, Marxism served as a fallback position, and it is hard to know if they would wear the label.

In the works of these writers, most of them historians, there is not much theorizing about the state under capitalism. Typically, they amass materials, and deal with large historical topics, blending "superstructure" and "base" indiscriminately. Remembering, suddenly, in their concluding chapters, that social relations and forces of production are supposed to be determining, they throw up a mountain of *ad hoc* rationalizations. Roger Scruton captures the essence of this phenomenon in his discussion of Perry Anderson. Toward the end of his *Lineages of the Absolute State*, Anderson writes: "All other previous (precapitalist) modes of exploitation operate through *extra-economic* sanctions — kin, customary, religious, legal or political. . . . The 'superstructures' of kinship, religion, law, of the state necessarily enter into the constitutive structure of the mode of production (which) cannot be defined *except* via their political, legal and ideological superstructures." But this amounts to admitting that, in precapitalist society, "the 'superstructure' actually *constitutes* the base — or, to put it more simply, the distinction between base and superstructure collapses, and with it the Marxian theory of history."[55]

G. A. Cohen takes Anderson to task for making such a concession: As Scruton has pointed out: "When critics of historical materialism claim that dimensions other than the mode of production are fundamental, it is no reply to insert those dimensions into the mode of production."[56] Cohen wants to keep the legal and political in their superstructural place. He supposes that, on the periphery of an otherwise law-abiding society, some men illegally treat resources as their property and engage in productive activity, doubtless exploiting other parties as they do so. Since, in those territories where the law reaches, every "right" equals a "power" to use resources, he thinks his frontier example establishes "power" without legal status and thus the priority of the "base." Now, these squatters with their retainers might just be homesteading unowned land, and unless one accepts the whole song and dance about surplus value, their productive activities may not be "exploiting" anyone. If so, Cohen has merely restated

55. Perry Anderson, as quoted in Roger Scruton, *Thinkers of the New Left*, *op. cit.*, p. 136.

56. G. A. Cohen, *Karl Marx's Theory of History: A Defence* (Princeton: Princeton University Press, 1978), p. 248.

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John Locke, showing how "civil society" could pre-date government, and how in protecting itself it might create a minimal state, in which case Cohen is restating Nozick. Besides, what happens when the *real* state assumed in Cohen's example shows up in the frontier zone? How can he assume that the official state will not hand over the exploiting squatters' land and enterprises to fellows with double-barreled names who are cronies of the state apparatchiks (and who cannot be "explained" as mere puppets of the economic system)?

Despite Cohen's heroic attempts to shore up the "base," Marxist historians continue (wittingly or unwittingly) to make the sort of concessions to which he objects. The cumulative effect suggests that they realize the limitations of the Marxist system. A few examples will suffice. Timothy Keegan's essay on "rural accumulation in South Africa" is replete with all the conceptual shibboleths of latter-day Marxism, and manages to show that the main "actor" — since the beginning of this century – is and has always been the South African state.[57] Here, the "base" fulfills a sort of decorative function. Elsewhere, Keegan surveys the emergence of a political class in the Orange Free State. Despite the usual rhetorical devices, he succeeds in showing that, under pressure from the British authorities in the Cape Colony, *some* members of Boer frontier society consciously decided to create a state. Widespread Boer resistance to this policy failed to prevent it, largely because the Boers were patriarchal anarchists "exploiting" their African dependents, rather directly, but trading peacefully with well-organized African chiefdoms (incipient states).[58] It is hard to tell what is primary. Some people wanted a state, some did not. The economic base seems like more of a bone of contention (the site of "motives," "opportunities") than any causal force worth losing sleep over.

57. Timothy Keegan, "The Dynamics of Rural Accumulation in South Africa: Comparative and Historical Perspectives," in *Comparative Studies in Society and History,* No. 28 (1986), pp. 641. Thus: "It was only on the basis of constant state support, however, that a capitalised farming economy under white control eventually emerged and was maintained."

58. Keegan writes: "Those who resisted the process of state formation being set in train were resisting an economy in which capital accumulation and the rise of bourgeois elites were dependent on access to state power and state-legitimation. . . . The more radical of the Boer emigrants, who resisted the entrenchment of bureaucratic government, favoured a more egalitarian, atomized and self-sufficient economic system and one incidentally that posed far less of a threat to the independence of black peoples." See Timothy Keegan, "The Making of the Orange Free State, 1846-1854: Sub-Imperialism, Primitive Accumulation and State Formation," in *Journal of Imperial and Commonwealth History*, Vol. 17, No. 1 (1988), p. 45. For a more extensive critique of Keegan, see Joseph R. Stromberg, "*Maatskappy*, State, and Empire: A Pro-Boer Revision," in *Journal of Libertarian Studies*, Vol. 14, No.1 (Winter 1998-99), pp. 1-26.

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Edgar E. Escultura writes a not unreasonable account of the situation in the Philippines. He finds that what accounted for the distribution of wealth and opportunity in the islands was constant political intervention by the US-backed Marcos dictatorship. His main thesis is that "the US economic, hence political, domination of the Philippines has suppressed our development . . . ."[59] Economic, hence political? This is an explanation by default. Benedict Anderson, also writing about the Philippines, discusses politics there in terms suggesting a certain primacy, but gets around it by conjuring up Ferdinand Marcos as "Manila's Louis Napoleon."[60]

Looking at the "transition" from the Roman economy to feudalism, Chris Wickham takes a peculiar path. Reasoning that several modes of production coexisted in the Western Empire, he specifies one as "dominant." It turns out to be neither slavery nor incipient feudalism, but the "tributary mode of production." He says: "It is this urban focus for surplus extraction that is the clearest sign that it is still useful to call the taxation process the ancient mode of production."[61] Here, the mode of production is defined by taxation.

For some, it was not enough to field Marxism as a method, patching up hard cases with attributions of "a certain independence" or "relative autonomy" from the state. These Marxists sought a total theory that would make such problems go away. While many tendencies clashed, pride of place goes to Louis Althusser's structural Marxism. Étienne Balibar worked in that mode and so did Nicos Poulantzas. Even sharp critics of Althusser, such as Nicos Mouzelis, got caught up in the new language of "levels," "articulations," and "disarticulations" of different modes of production in one and the same "social formation." Althusser's scheme is a Marxist version of the input and output diagrams that used to bedeck political science textbooks. Moving away from the unworkable base/superstructure model, he created an unworkable array of "levels," "instances," and "practices," which coexist and mutually influence one another at all

59. Edgard E. Escultura, "The Roots of Backwardness: An Analysis of the Philippine Condition," in *Science and Society*, Vol. 38, No. 1 (Spring 1974), p. 67.

60. Benedict Anderson, "Cacique Democracy in the Philippines: Origin and Dreams," in *New Left Review* 169 (May/June 1988), pp. 3-31. The exception, of course, is the Bonapartist case, in which politics temporarily stands above all class-based parties and, briefly, the state has a certain autonomy. See Marx' *The Eighteenth Brumaire of Louis Bonaparte*, where Marx abandons the whole economistic system and writes about politics much as any radical *laissez faire* liberal might have done. See Raico, "Classical Liberal Exploitation Theory," *op. cit.*, pp. 178-180.

61. Chris Wickham, "The Other Transition: From the Ancient World to Feudalism," in *Past and Present*, No. 103 (May 1984), p. 14.

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times. These levels/instances/practices are "ideological," "political," and "economic," with "theoretical" sometimes thrown in to show that structural Marxists have a worthy mission (workers having failed in theirs). The tripartite scheme reinvents the Indo-European wheel,[62] but allows Althusserians to say that different levels/instances/practices are "dominant" in specific social formations at specific times. This means that the theory can always "predict" whatever it is that just happened, and so vindicate the entire enterprise. In addition, it allowed the structural Marxists to speak of the "Ideological State Apparatus," which was responsible for the total oppression of everyone, without being very specific.

The "Marxism" of the operation stems from the claim that the economy is determinant "in the last instance," which may take a long time to come or which may be a mere systemic device like phlogiston. In this respect, Althusser's system is the highest stage of Engels' evasion of the political. This account of society has met criticism, not least from Marxists who wanted to study history and politics without committing themselves to an ahistorical scheme. Classical Marxism took the acting individual out of history and replaced him with social classes. Overtheorized Marxism takes classes out of history and replaces them with "structures." R. W. Connell, E. P. Thompson, and Nicos Mouzelis have made the obvious comparison with Parsonian functionalism — the vogue ideology of Liberal Biggism in the 1950s.[63]

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62. Cf. C. Scott Littleton, *The New Comparative Mythology* (Berleley: University of California Press, 1982), and Georges Duby, *The Three Orders: Feudal Society Imagined* (Chicago: University of Chicago Press, 1980).

63. R. W. Connell, "A Critique of the Althusserian Approach to Class," in Anthony Giddens and David Held, eds., *Classes, Power and Conflict* (Berkeley: University of California Press, 1982), pp. 130-47; E. P. Thompson, *The Poverty of Theory* (London: Monthly Review Press, 1978), and Nicos Mouzelis, *Modern Greece: Facets of Underdevelopment* (London: Macmillan, 1978), esp. pp. 48-55 and 177n. Mouzelis comments: "It is impossible to explain change, the transformation of structures, by pointing to yet more structures." The retreat to determination-in-the-last-instance "allows those Marxists who want to be faithful to their master's work to accept the obvious fact that in some cases non-economic institutions play the dominant role in the structuring and change of a whole social formation, without their having to abandon any of the sacrosanct elements of historic materialism. . . ." But, as "a tool of analysis it provides no guidance whatsoever, either positive or misleading, for the explanation of concrete social formations." Mouzelis, *Modern Greece*, *op. cit.*, pp. 53 and 176. John Dearlove writes that the "much-vaunted notion of 'relative autonomy' represented an attempt to move from instrumentalism and economic reductionism but it was always a hopeless half-way house in which the state was given some space that was then taken away with cryptic assertions that the economic was determinant 'in the last instance' and in a 'very complex sense'." See John Dearlove, "Bringing the Constitution Back In: Political Science and the State," in *Political Studies*, Vol. XXXVII, No. 4 (Dec. 1989), p. 525.

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Tony Judt suggests one possible reason for the appeal of Althusser's ideas to French Marxists: "By focussing on structures, both in society and in the argument itself, Althusser diverted attention away from human acts (and thus human errors) and thereby swept away ten years of guilt over the 'mistakes' and 'deviations' of Stalin."[64] The upshot is a system that says little about politics. The bourgeoisie "rule," because the economic dominates the political "in the last instance." But it is not necessary to show that the bourgeoisie concretely have anything to do with the state, because the political is another "level." Each level, evidently, takes care of itself. Connell scoffs: "But the bourgeoisie can't organize their own dominance (they can't organize their way out of a paper bag, it seems), nor, thus, the unity of the power bloc."[65] The state does this for them, balancing and mediating conflicts between "fractions" of the bourgeoisie. "Fractions" come into it, because the Marxists finally noticed that classes are not really historical subjects with a single consciousness.

For their part, Barry Hindess and Paul Q. Hirst created another Stalinized theoretical discourse, proceeding from definition to definition to discover which modes of production are even conceptually possible. The Asiatic mode, of course, is ruled out straight-away for the usual reasons.[66] In time, Hindess and Hirst produced an "auto-critique" of their original work, a maneuver which failed to clarify much. The second time around, they decided that "social formation" is a better concept than "mode of production," "forces" beat "relations" of production, and the "social formation" consists of economic/political/cultural "forms" within which reside the "conditions of existence" of the "relations of production."[67]

No survey of overtheorized Marxism can neglect Jürgen Habermas, prodigious producer of massive, if murky treatises on Grand Social Theory (synthesizing Marx, Weber, Peirce, and the entire German philosophical tradition), praxis, and pragmatics. Residual Marxism and West German left-bureaucratism[68] seemingly stood in the way. Thus, in *The Theory of Communicative Action*, he conflates the "instrumental rationality" of state and corporation (after Weber), because both are designed orders. Habermas shows no awareness of the order of the market, unplanned from any

64. Tony Judt, *Marxism and the French Left* (Oxford: Clarendon Press, 1986), p. 192.
65. Connell, "Critique of the Althusserian Approach," *op. cit.*, p. 137.
66. Barry Hindess and Paul Q. Hirst, *Pre-Capitalist Modes of Production* (London: Routledge & Kegan Paul, 1975), pp. 197-198.
67. Barry Hindess and Paul Q. Hirst, *Mode of Production and Social Formation* (London: Macmillan, 1977).
68. Scruton, *Thinkers of the New Left*, *op. cit.*, pp. 115-128.

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political center and the context within which businesses have to function (unless privileged by the state), and thus loses sight of a crucial difference between the monopolistic "organization of predation" (as the state might be called) and private businesses.[69] In the end, Habermas managed to fret for decades over the "legitimation crisis" of the "capitalist state" with hardly a sidelong glance at the legitimation crisis in Soviet bloc states, which are gone as a result of theirs. The Western welfare-warfare states do have a crisis of legitimacy at this late date, but whether or not "capitalism" and markets are at the center of it is open to doubt.

The Self-Reproduction of Reified Concepts

When Poulantzas writes that the capitalist state is "like 'capital' . . . a relationship of forces, or more precisely the material condensation of such a relationship among classes and class fractions . . . expressed within the State in a necessarily specific form,"[70] one begins to suspect a swindle. There is only so much one can hear about the role of this or that "fraction" of the bourgeoisie under "late" capitalism before one begins entertaining questions such as: How late is late capitalism? The same goes for Haldun Gulalp when he tries to refute the relative-autonomist heresy. The "common interests of state managers — power, wealth, etc. — can only be defined within the bounds of the existing order."[71] So they have "no power" over the bourgeoisie. Gulalp adds that the existing order "operates to the benefit of the dominant class(es)" for, otherwise, "it becomes impossible [!] to explain how the state managers gained 'power' (allegedly, independent power) in the first place."[72] It is impossible, of course, only if one cannot even look into power, conquest, force, ideas and all the other things that may well enter into these outcomes. When, elsewhere, Gulalp announces that too much emphasis on autonomy leads to the "liberal" idea that the state exists for the good of society,[73] one wonders if he can even contemplate a *liberal conflict theory.*

In the face of all this, the fact that many Marxists actually do useful work only confirms Schumpeter's comment[74] that "the skill of the analyst

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69. Jürgen Habermas, *The Theory of Communicative Action* (Boston: Beacon Press, 1981), pp. 158-159.

70. Nicos Poulantzas, *State, Power, Socialism* (London: New Left Books, 1978), pp. 128-129.

71. Haldun Gulalp, "Capital Accumulation, Classes and the Relative Autonomy of the State," in *Science and Society*, Vol. 51, No. 3 (Fall 1987), p. 300.

72. Gulalp, "Capital Accumulation," *op. cit.*, p. 301.

73. *Ibid.*, pp. 308 and 289.

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only serves to show up the inadequacy of the tool." The accelerated rate of the circulation of reified concepts in late Marxism suggests some final crisis or, at least, the intellectual emiseration of anyone who chances to study them. Recent hybridizations of Marxism have only made things worse — and some of these other theories, grafted onto Marxism, were bad enough on their own.[75] Conceptual sleight of hand allows Marxism to preserve its central causal explanations and "laws" in the face of all evidence. Economic relations and forces — still unconceptualized, unless one brings in items that are supposed to be superstructural — are primary, and that's the end of that.[76] States that seem to arise before the formation of social classes, or simultaneously with them, are entirely out of order.

Yet, these issues must be discussed if one is to understand states. In dealing with classical issues of power and liberty, Marxism is of no help. That it thrives in the universities of countries that never suffered its full ravages suggests that past relations of theorization outlast their immediate circumstances and persist as atavisms, particularly when the theories involved serve as the ideology of aspiring techno-bureaucrats in a thoroughly statized world. Schumpeter noticed that, when it comes to large-scale political events, the important question is generally "who stood to gain?"[77] Marxists often ask this kind of question, but their system leads them to predictable answers. In the end, it comes down to epistemology. Marx made man as species-being the center of his salvational scheme, and promptly laid out so many restrictions as to take him out again.

When "really-existing-socialism" collapsed in 1989, there was hope for a rebirth of freedom. This mood lasted about two weeks. Soon it became clear that Bolshevism's stand-in would be a welfarist "socialism" so soft and mushy as to present no target for criticism. In the West, it became increasingly clear that the Left had won the Cold War by piggy-backing its particular programs onto the statism made possible by forty some years of semi-mobilization. At the level of ideology, the Left pursued its retreat

74. Joseph Schumpeter, *Capitalism, Socialism and Democracy*, *op. cit.*, p. 15n.

75. Perry Anderson objects to the way in which the various postmodernisms modified or even supplanted Marxism by imperialistically generalizing from Saussurean linguistics (itself a bit of a muddle) into every other field. See *In the Tracks of Historical Materialism* (Chicago: University of Chicago Press, 1984), pp. 32-55.

76. For criticisms of these fundamental concepts, see Conway, *Farewell to Marx*, pp. 71-81, Karl Federn, *The Materialist Conception of History* (Westport: Greenwood Press, Publishers, 1971), and Gordon Leff, *The Tyranny of Concepts: A Critique of Marxism* ([University]: University of Alabama Press, 1969).

77. Joseph A. Schumpeter, *Imperialism, Social Classes: Two Essays* (New York: Meridian Books, 1951), p. 51.

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from strict Marxism into various postmodernisms. Darío Fernández-Morera complains that "materialist discourse" has become "so heterogeneous and complex as to be beyond critical scrutiny — unlike the bourgeoisie, capitalism, 'society,' 'the classes,' 'the West,' and 'the patriarchy,' which are so monolithic and simple as to be routinely bandied about."[78] New journals like *Rethinking Marxism* prove the point. As José Ortega y Gasset said of the fascist and syndicalist movements, the academic Left had reached a point where they no longer felt bound to give any real reasons for their claims of being right.[79] Postmodernism and the linguistic turn allow them to shed outworn Marxist baggage, while proclaiming the Revolution at no personal or professional inconvenience. No one has ever been shot manning hermeneutical barricades in an imaginary Paris.

The joke is that the fulminations of Western New Class professors and journalists represent no threat whatsoever to the reigning corporatist states. The tolerated radicals serve as ideological bodyguards of the existing system. Indeed, a hot trend in political science is the reconfiguration of corporatism as possible socialism — the Stockholm, rather than the Moscow syndrome. The deliberate wrecking of the post-Soviet transition to "capitalism," through bad official US advice, the ministrations of the IMF, and the pretensions of NATO is part and parcel of the emerging order. The grandstanding, triumphalism, and cynical mercantilism of US policy have managed to revive the political fortunes of the former communist parties, who now pose, with some justification, as nationalist defenders of specific peoples and interests in the face of the American empire. The character of the leadership thrown up in some countries by the Soviet implosion also undercut the transitions. As Raico notes, state-subsidized dissident intellectuals "given to literary-moralistic musings" might not have been the best people to establish property systems and functioning markets or stop the "monstrous growth of the State apparatus."[80]

The 19th-century breach between social engineers and the socialists is

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78. Darío Fernández-Morera, *American Academia and the Survival of Marxist Ideas* (New York: Praeger, 1996), p. 5.

79. José Ortega y Gasset, *The Revolt of the Masses* (New York: W. W. Norton, 1957), p. 73.

80. Ralph Raico, "Liberation from the Parasite State," in *Liberty*, Vol. 4, No. 3 (January 1991), p. 37. Raico had postcommunist Czech leaders in mind. For a critique of that cadre, see Aviezer Tucker, *The Philosophy and Politics of Czech Dissidence from Patocka to Havel* (Pittsburgh: University of Pittsburgh Press, 2000), pp. 209-241; and Josef Sima and Dan Stastny, "A *Laissez-Faire* Fable of the Czech Republic," in *Journal of Libertarian Studies*, Vol. 14, No. 2 (Summer 2000), pp. 155-178.

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now healed, with technocrats and Left-nihilists, Fukuyamas and Derridas on the same side. Everywhere economics is dominated by "interventionism." New interventions are constantly called forth to "remedy" the problems caused by previous ones.[81] From the standpoint of economic calculation, the drift is toward Left-corporatism — a non-ideological form of socialism. On the cultural front, the therapeutic state expands relentlessly under the ideological guidance of "radical professors."[82] United by what C. Wright Mills called bureaucratic rationality,[83] the political and corporate elite can indulge the tame Left in its state-strengthening focus on race, class, gender, and insensitivity. With some exceptions, today's Left embraces the American empire as the means for implementing its ideas.[84] The imperial managers, in turn, are happy enough to crusade, selectively, under the slogan of universal rights and the like.

It is a wonderful division of labor. While high theorists spread terror and dismay on the cultural front, proponents of bureaucratic corporatism/socialism bypass Marxism's breakdown by grounding their works on different epistemologies.[85] There is not much theorizing about the state here, just a truckload of plans for putting states to good use. Two writers provide clues about the future. Trying to understand right-wing populist movements in contemporary Europe, Douglas R. Holmes can only theorize them as "integralists" with a certain kinship to fascism. What is interesting, however, are the silences and absences in his book. Unable to deviate from an enlightened bureaucrat's definition of reality, he must deny facts. Among these are mass immigration into Europe, its consequences, and the unease of the actually-existing peoples within those borders. As a result of all this denial, the right-wing miscreants copiously quoted sometimes appear to make far more sense than Holmes.[86]

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81. Cf. Ludwig von Mises, "Middle-of-the-Road Policy Leads to Socialism," in *Planning for Freedom* (South Holland, Ill.: Libertarian Press, 1962), pp. 18-35.

82. See Paul Edward Gottfried, *After Liberalism: Mass Democracy in the Managerial State* (Princeton: Princeton University Press, 1999).

83. C. Wright Mills, *The Sociological Imagination* (New York: Oxford University Press, 1970 [1959]). In Mills's terms, the New Left has turned its attention to Grand Theory or embraced the bureaucratic left-liberalism of piecemeal, "empirical" social intervention and planning. The two tendencies are not contradictory.

84. Cf. Alfredo G. A. Valladão, *The Twenty-First Century Will Be American* (London: Verso, 1996).

85. See Hans-Hermann Hoppe, *A Theory of Socialism and Capitalism: Economics, Politics, and Ethics* (Dordrecht: Kluwer, 1989), pp. 96-97.

86. Douglas R. Holmes, *Integral Europe: Fast-Capitalism, Multiculturalism, Neofascism* (Princeton: Princeton University Press, 2000).

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Enlightened bureaucrats and politicians now define reality, and throw in a world-outlook for free. In a meditation on sundry postcolonial matters, Benedict Anderson puts his finger on the problem, while sifting through Ernest Renan's famous essay on nationalism. Renan wrote that, for Frenchmen to constitute a proper nation, they were "obliged to have already forgotten" certain things, while remembering others.[87] Benedict rings the changes on this interesting claim with illuminating results. He may not care, however, that people who do not share his politics have noticed the Left's attempts of late to encourage forgetting certain things and remember new ones (i.e., the Left's interpretations).

The Marxist theory of the state has rested on a number of assumptions, which, if pursued to the end, would lead to a radically different theory of the state. If Marxists have produced an unworkable theory of the state and if their successors have abandoned the task in favor of using the state, it remains an important matter. One must begin with the real (if imperfect) autonomy of the state, and work outward. Radical, non-Marxist, non-socialist social theory centering on issues of power and ideology is possible. Such theory would be allied to, and make good use of Austrian economics, with its power to shed light on relations of "power and market," in investigations of the political sphere. Such an approach seems ideally suited for overcoming the Marxist theory of the state, without adopting the fallacies built into liberal-corporatist analyses.

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87. Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1991), pp. 199-203.

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Notes:

Ten Theses On Federalism And Human Rights

Rick Johnstone

1.* Telos *and Federalism.[1]

The *Telos* critique of modernity, Marxism, liberalism and universalism does indeed lead to some kind of federalism. Why? Because alternative themes, such as community, tradition, neighborhood, cultural particularity and the life world, imply federal principles of de-centralism, direct democracy and local sovereignty. But what kind of federalism? That is the question. And the *Telos* answer, at least from Paul Piccone, is federal populism.[2] This is a very communalist view, which amounts to a kind of unbridled localism.

2. The Danger of Communalism.

This is dangerous because it abandons any idea of universal human rights. And critics like Piccone are quite explicit about this. But such anti-rightism just weakens the status of the individual in relation to the group. Rights are not the only protection, but they can help. And communalism, for all its new found virtues, has plenty of the old vices, such as racism, chauvinism, ethnic cleansing and genocide. Someone recently said that a Jewish friend had raised precisely this question in a *Telos* discussion group (What protection would I have from my anti-semitic neighbors in a populist system?) Good question. And the answer is: nothing.

3. The Lessons of Auschwitz.

That was the main lesson of Auschwitz for those who set up the UN. This is why they went beyond the peace mandate of the old League of Nations to a whole new emphasis on human rights. UN universalism was a progressive reaction to Nazi racism. Auschwitz showed — and still symbolizes — just how dangerous communalism can be. The holocaust was thus a turning point for human

1. These "Ten Theses" sum up arguments I have made in *Telos* over the last ten years (in *Telos* # 85, 93, 100, 109, 115 and 116).

2. Cf. Paul Piccone, "Human Rights as Historical Universals?" in *Telos* 116 (Summer 1999), pp. 143-146.

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rights. The UN did not re-invent the wheel here, but rather globalized liberal Western concerns with the security and rights of the individual person (as rooted in older Judaeo-Christian and Graeco-Roman moral traditions and legal codes). This secular universalization of rights has ushered in a new phase of history, in which human rights now carry more weight than ever before. They may of course be invoked by dubious causes, but values cannot be repudiated merely by what is done in their name, or (despite the esoteric themes of "political theology") because they have roots in the past rather than fall out of the sky. The fact is that domination is more difficult these days. The 20th century ended with real democratic momentum. Political killers and ethnic cleansers sleep less well, even after retiring from their bloody careers. The Pinochets of this world are quaking in their boots, and if that is not some kind of progress, what is? The axiomatic rejection of modern rights is a dangerously dogmatic refusal to learn the lessons of modern history.

4. The Lessons of Uri.

But all this does not have to negate community and tradition. Nor in fact have these simply rolled over and died. On the contrary, they have been given new life by the free trade steamroller that has been squashing everything flat. Resistance to globalization has been vindicating themes of local sovereignty. Protectionism is no longer a dirty word. Placeless logic is countered by the logic of place, which contests the patronizing assumptions of cosmopolitan modernism (whether Marxist or liberal) about the "idiocy of rural life." Danes dare to dump Maastricht and to defy Euro, as Brussels bureaucrats attack ancient autonomies. The "foolish old peasants" in the Swiss Alps turn out to be not so foolish after all. The neighborhood fights back, because it can believe in itself again. The tables have turned on the old tendency (both Marxist and liberal) to use anti-fascism to smear the politics of place. Having a say in the affairs of the Canton of Uri does not make one a Nazi. It makes one part of the world's oldest democracy.

5. Between Auschwitz and Uri.

So if Nazi fascism shows the danger of communalism, Swiss federalism shows the folly of demonizing it. If Auschwitz proves the value of liberal universalism, Uri reveals the limitations of a unitary liberalism. But fortunately, it is not an either/or choice, between local sovereignty and human rights. They can actually be combined, in a system like liberal federalism. This can be seen as a compromise human rights system: a mix of universal and local rights, of central and regional powers. This evolved because it made sense, since neither view has all the answers but each has some, and because in some historical situations (like Canada) it made more sense than anything else. Canadian federalism is a good example of a workable rather than utopian mix. Canadian provinces have extensive autonomy, but Canadian citizens enjoy the civil

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rights and universal laws of a liberal democracy, and the social rights and equalization transfers of a social democratic federalism (e.g., free health care). For Canadians, regional autonomy is important, but social justice is not just reducible to a politics of place, and the national system of citizenship rights is not something to be lightly dismissed.

6. Neighbors and Rights.

So yes, let people be in charge of their neighborhoods, but no, let them not put their fate just in the hands of their neighbors, or of traditions, culture, community and so on, which do not always take kindly to women, Jews, gays, blacks, commies, immigrants, the Scotsboro boys and others. Some guarantees are needed, and the old liberal ones are better than none. The life world can turn into the death world, and local consciousness can mean "I think I'll kill you today and do not bother to phone the police because I am the police and one of my cultural particularities is that I do not like Jews and blacks." Meanwhile, fundamentalist groups like the Taliban in Afghanistan keep up old "traditions" like stoning "bad women" to death, a truly "communal" event — all the neighbors join in. Just as they did when lynching blacks. The basic problem with federal populism is that it has no answer to this. It may not be advocating it, but how can it not permit it, given its total rejection of universal rights? Liberal federalism, on the other hand, would not permit it. Only a liberal commitment to human rights stands in principle against killer-communalism and predatory-populism. Radical anti-liberalism risks radically illiberal outcomes.

7. Liberal Federalism vs. Federal Populism.

In his *Elements* interview, Piccone says that "even a Nazi society could not be deemed evil in the abstract."[3] But for liberalism, it could be and it is. To be fair here, this rather risky statement about the Nazis is part of his wider critique of any "arbitrary universal mandate" or transcendent moral order. But this is a dangerous relativism, and is a key difference between the two models of federalism. Liberal federalism puts some limits on populism. It counters communalism with human rights and the rule of law. And universal rights cannot be dismissed just because they are historical (and therefore "arbitrary") because there's nothing in history that is not, which thus forces discussion back to the intrinsic merits of particular values, and to their meaning and relevance in particular situations. Liberalism would stand by its claim that genocide is intrinsically evil, and take strength from the new global momentum for democracy and human rights. Abstract debates may continue, about "contingency" and "undecidability" and "political theology," but the post-Auschwitz consensus has put some real limits on post-modern relativism. Victims of terrorist regimes that like to

3. Paul Piccone, "*Éléments* Interview," in *Telos* 117 (Fall 1999), pp.133-166.

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de-construct human bodies are relieved to know that Amnesty International has not been taken over by French philosophers who like to de-construct human rights. If Auschwitz symbolizes the evil side of communalism, Amnesty symbolizes the progressive side of universalism.

The fascism problem with federal populism is thus not in its intentions but in its possible effects. How can it veto them? In terms of what principle? The ball is thus in its court, to make a convincing case that it can guarantee your safety — convincingly enough to persuade one to completely abandon the tested protections of liberalism. One may take some convincing.

8. Dualism and Compromise.

But if one does not want to dump populism just because of this problem, the key question then becomes how to add some guarantees to the mix. This is quite possible, and is indeed exactly what liberal federalism does. Perhaps it could do it better. But a mix makes sense. Simply re-casting the old left/right division into a new central/local dualism, complete with a demonization of the central (which echoes left demonization of capital) is no solution, because there is some wisdom on both sides. Glorifying the local is just as one-sided as the worship of Reason. The challenge is finding and formulating the mix: the theory and practice of human rights compromise.

***9. Lincoln, Jefferson, Lenin and* Telos.**

So why choose between Lincoln and Jefferson, if one can have both? Lincoln or Lenin? Well, there one must choose, and of course liberals dump Lenin. But *Telos* prefers to dump both, on the grounds that communism and liberalism are just two forms of the same problem, of Enlightenment universalism (Leninist centralism, New Class centralism). But lumping these together grossly ignores the basic difference between communist absolutism and liberal pluralism. If anything, it's the other way around: Marxist collectivism and *Telos* communalism share a fatal break with liberalism. And yet, ironically, the "dialectical and alienation-based critique" of the *status quo*, that *Telos* does not want to let go of, does not require the total repudiation of liberalism, and in fact the more open-ended and phenomenological such critique is, the more liberal it implicitly becomes. To its credit, federal populism, in its recycled anarchism, is inherently immunized against the old bug of Leninist centralism. But by the same token, this is where its anti-liberalism unravels, in the life-world of McDonalds and WalMart, in the rights-based legitimacy of liberal democracy and welfare state capitalism, in the real accountability of market mechanisms and democratic consumerism, in the cultural popularity of Western pluralism, where people value their different rights, freedoms and benefits, and do not want to put all their eggs in one basket — left, right, central or local.

These are awkward facts indeed for a "populist critique" which simultaneously

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rejects and affirms the local life world. It is all very well to like some things about both capitalism and communalism, but one cannot have it both ways, these only go together in a compromise system. Federal populism is mired in the contradictions of a "populist-critical" theory which seeks a radical but non-transcendental critique of modernity based on a populist non-critique of tradition. The *status quo* is somehow ok when traditional (universalist critique would be transcendental and is thus vetoed), but not when liberal (utopian critique is allowed), despite the latter's evident popularity and rights-based legitimacy.

And in this sometimes heated debate, while terms like *fascist* should not be used loosely, it does not help to use counter-terms like *cretinization,* which are not as funny as they sound, and are telling clues about the wider problem here: false-consciousness *dèja-vu*-all-over-again. Holding on to some liberal themes does not make a critical, alienation-based critique impossible. But the more radical kind of alienation/utopia dualism still carries the greatest risk of all: the claim to know what is good for others better than they do themselves (poor cretins, who need to be rescued from their own alienation). This is what happens when one lets intellectuals loose in the lab. One ends up with a lot of poor Frankensteins in the gulag. Communalism just inverts rather than resolves the communism problem. The woman stoned to death by her neighbors is just in another kind of gulag: the village gulag. Collectivism and communalism both banish human rights. But fortunately, in today's world, telling people that human rights don't mean anything isn't going to get you very far. And that, indeed, is just where the ball is, on the federal-populist side of the court: trying to convince people of the meaninglessness of their rights. They will take some convincing.

10. The Western Mix

People prefer pluralism, which does not force them to make simple either/or choices. It lets you mix and match and go on fine-tuning the mix. The West today is not some totally-administered-society of WalMart-zombies duped by a New Class nanny state and waiting to be liberated by some bizarre kind of Republic of Texas run by *Telos*-trained Philospher-Cowboys. It is, rather, a dynamic synthesis of opposing wisdoms, which defies and transcends absolutism, dualism, faddism, fundamentalism, cultism, born-againism, flat-earthism, federal populism and any other one-sided view of the world. It is full of problems, but is also the most self-correcting, creative and reformable system in the world, because it is indeed an open, free, liberal system, which is what most people still want it to be. Federalism and populism have indeed been an important part of the mix, and still have much to offer, as *Telos* rightly explores and as Piccone rightly insists. But this is just one side of a wider pluralism which is counter-balanced by universalism, human rights and the rule of law. We dismiss them at our peril.

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Ten Counter-Theses on New Class Ideology: Yet Another Reply to Rich Johnstone[1]

Paul Piccone

1. Unbridled Localism vs. Unbridled Universalism.

Johnstone is frightened by "unbridled localism," i.e., populism, as presumably something undesirable. But what does the "unbridled" qualifier add to localism besides indicating the presence of real freedom in a political community defining itself through particular values, laws, and customs? Freedom cannot be "bridled" or else it ceases to be freedom. A "bridled" localism would be deprived of any free choice concerning fundamental values and, consequently, would no longer be a democratic "localism." Its defining features would have to come from whomever or whatever does the bridling, thus reducing localism to a subsidiary part of a broader framework making all of the important decisions. The community, then, would be nothing but a mere aggregation of *dependent* people with no freedom and self-determination other than what the external "bridling" authorities would sanction. And what are these "bridling" authorities? In Johnstone's account, they are liberal mandates such as "human rights." Since

1. This *Telos* discussion concerning the status and role of "human rights" has been going on for years, and it has not resulted in any substantial change of positions on either side. It has, however, led to a sharpening of arguments and to occasional insights into contemporary political quandaries. This new round is warranted only by the belief that something new is being contributed by recasting the various arguments in different terms. Thus, these counter-theses are not so much about human rights as such, but about the general ideology which formulates and articulates them. One of the more relevant points that have not come across is that there is nothing neutral about "human rights" and, whether deemed desirable or not, they are part of a particular ideological framework: liberalism. The main objections to "human rights" have never had anything to do with respect for the individual, protection against oppressive institutions, other abuses, etc. Rather, they concern the nomological status of these rights, the contractual basis as the only one within which they are legally defensible, and their blatant instrumentalization by particular groups for questionable political ends. As integral parts of the axiological framework of a particular culture, which respects difference and otherness while not imposing its values on those who happen not to subscribe to them, human rights are unobjectable. Only when imposed on peoples who subscribe to different religious or secular traditions does liberalism degenerate to the level of a garden variety of dogmatic religion seeking to force everyone to accept its particular ideology. No matter how one may disapprove of how the Chinese government treats its citizens, such a judgment can only be a matter of personal or particular cultural preferences — unless binding legal commitments are being violated.

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human rights do not deploy themselves and can only appear as the views of particular people, the real question is: *who* is advocating these transcendental rights, which apply, independently of any democratic ratification? It is the New Class of liberal intellectuals pretending merely to be articulating the universalistic mandates of reason. Unfortunately, there are no such mandates.

Reason can only be "instrumental" and axiologically neutral; any values ascribed to it are the unwarrantedly universalized values of a particular culture. To believe otherwise is to subscribe to the functional equivalent of the most intolerant of religions, entrusting its followers to impose its tenets anywhere. It is the duty of all such believers to make sure that infidels convert and that everyone accept their particular set of dogmatic claims. Crusaders and missionaries merely "follow orders," albeit of a higher nature — even if they usually fit all too well with various imperialist agendas. By similarly claiming that its values are universal, and therefore absolutely true, liberalism masquerades the active political actors (The New Class) as passive functionaries just "doing their job," whenever they enforce "human rights" as legal decoys for other less lofty political objectives. It was not too long ago that such an excuse was outrightly rejected by an earlier generation of liberal ideologues at Nuremberg and Jerusalem — even in cases in which such an apology made good legal sense.

Localism or populism has to be unbridled or it is nothing. Whenever it results in what, from different cultural perspectives, appear to be "excesses" or violations of human rights, it can be chastised and punished only by another stronger localism on the basis of the latter's free and thus necessarily arbitrary decision not to permit certain practices to take place. All universalisms allegedly bridled by higher human rights mandates are always "unbridled localisms" imposing their particular culture while pretending not to make any decisions or take responsibility for their deeds. The New Class never makes decisions: it only follows orders.

2. The Danger of Human Rights.

According to Johnstone, human rights protect the individual against the group. This, however, only happens on paper. Individuals are protected only when the essence of human rights is already embedded in a community's particular legal system and the people really believe in them. When imposed from outside, as in the case of the US Bill of Rights *vis à vis* the states or, even worse, with the Canadian Charter of Rights *vis à vis* the provinces, they are often ignored (as in the case of racial equality in the US up to very recently) or enforced selectively, depending on the needs of particular lobbies. The UN is not known to send S.W.A.T. teams anywhere human rights violations are committed, and the only examples of enforcement are instances such as dragging Milosevic out of Serbia by bribing the new government with the promise of aid, or by finally bringing to trial some pathetic old Southern racists over three decades

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after the crimes have taken place. At any rate, especially in the most outrageous cases, such as bombing churches, killing little girls or carrying out genocides, there is no need to invoke human rights above and beyond enforcing existing legal strictures. Johnson's Jewish friend threatened by anti-Semitic neighbors, whether in a "populist" or in some other political system, could never be protected by any abstract human rights unless respect for individuality, difference, and religious freedom were already part of the community's moral fiber. No human rights would have helped Jews in Nazi Germany, since humanity had been limited to the Aryan "race" and Jews were excluded from it. Real protection against anti-Semitism or other practices violating human rights is ultimately other neighbors unwilling to put up with the anti-Semites in the community, as in the case of Bulgarians during WWII. Thus, the real function of human rights is not primarily to protect the individual against the group, but to legitimate a central regulatory apparatus over individuals and communities, while at the same time weakening democratic controls. This is how New Class liberal values of homogenization (equality), clientilization (service), and paternalism (elitism) have historically trumped democratic prerogatives. Johnstone's fear of "communalism" is actually a fear of democracy. It is another instance of the resolution of the contradiction between liberalism and democracy in favor of the former. Here human rights degenerate into convenient ideological weapons with which liberalism domesticates and deactivates democratic practices.

3. The Lessons of the 20th Century.

Dr. Pangloss could not be shaken out of his optimistic outlook. Neither can Johnstone. While for Dr. Pangloss there was God's grace, for Johnstone there is progress and the UN. Long after the post-WWII cry of "Never again!" referring, of course, to the Holocaust, the 20th century closed with the realization that it had happened "Again, again and again" — even if not on as large a scale. Cambodia, Biafra, Bosnia, Rwanda, Chechnya, Afghanistan, etc. should have deflated any optimistic claims about the 20th century. The irrelevance of the UN — unless backed up by US military muscle — should have been obvious to all. The persistence and occasional growth of poverty, exploitation and inequality, not to mention the explosion of new problems, such as the AIDS epidemic and global warming, should have cast suspicion on any pretense of "progress," but they have not. Why? While with Dr. Pangloss it had to do with eschatological commitments, with Johnstone and other liberals it has to do with the structure of liberal ideology. Without "progress" as a metaphysical category configuring a dark past turning into a bright future (to be brought about by eliminating all traditional obstacles presumably retarding its genesis), the New Class self-identity as rationalizers would be neither credible nor justified. Who else but the New Class can bring reason into a world populated by irrational populists, susceptible to "racism, chauvinism, ethnic cleansing, and genocide"? The

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New Class monopoly of reason legitimates its rule and the frequent trumping of "irrational" — and therefore illegitimate — democratic choices. This liberal fairy-tale does not square with historical realities. As shown again and again in concrete studies of particular events, racism is primarily a modernist phenomenon; chauvinism is inextricably bound up with nationalism — another modernist contribution; while ethnic cleansing and genocide are nationalist pathologies. Johnstone has learned the wrong lessons. The 20th century ended with real liberal (rather than democratic) momentum; there has been no real turning point after the Holocaust; and human rights apply only to populations who do not really need them, while those whose "human rights" are systematically violated (Kurds, Palestinians, Chechens, Afghani, etc.) are routinely ignored. Instead of celebrating the pseudo-achievements of modernity, Johnson ought to spend more time pondering its growing crisis.

4. The Lesson of Switzerland.

Despite his liberalism, Johnstone appreciates the virtues of particularity. So it is not surprising that he celebrates the Swiss model. Yet, he ascribes to it, and to populism in general, left-liberal characteristics that model never had. In principle, populism has nothing to do with the kind of protectionism sponsored by particularistic labor interests at the expense of general consumers, who are thereby forced to pay higher prices to support local inefficiencies and, occasionally, feather-bedding. Similarly, populism is not in principle opposed to globalization as free trade — only to globalization as cultural homogenization or Hollywood-style Americanization (or the political globalization presupposed by human rights ideology). The defense of cultural particularity does not preclude benefiting from world trade. What is essential is not preventing foreign producers from accessing local markets, but the retention of a strong culture internalized by responsible citizens able to distinguish between what they know and like, and what they do not know but are told that they ought to like by the media and the culture industry. If Chinese can make clothing cheaper and better, then local textile workers may want to look for another job while, along with all their compatriots, taking advantage of the Chinese bargains. Localism is not opposed to economic efficiency, only to political domination camouflaged as protection. The lesson of Switzerland is not that it is possible to be localist and not fascist (a meaningless ideological category used nowdays only by people who do not understand it), but that it is possible to globalize while retaining cultural particularity and economic viability without excessive New Class mediation. Despite its fierce commitment to independence and autonomy, Switzerland in general and the canton of Uri in particular have long since been part of a globalized economic system. Charging the windmills of economic globalization is but a New Class strategy to strengthen national controls and therefore the power of the bureaucratic apparatus entrusted with enforcing them.

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5. Liberal-Democratic Oxymorons and Canadian Chauvinism.

In attempting to have his cake and eat it too, Johnstone tries to combine the cultural particularity of populism with liberal universalism. All he comes up with, however, is a recycled version of liberal-democracy and its well-known contradictions, now renamed "liberal federalism." Not unexpectedly, in this idealized account, the liberal qualifier ends up having the upper hand over either federalism or democracy. As a paradigm, he proposes Canada, a country still threatened with internal disintegration, with a rate of taxation topped only by countries such as Israel and Italy (where, however, tax-evasion is a popular art), stuck with one of the world's worst constitutions (which is also impossible to change), and blessed with a powerful New Class — an economic liability responsible for the Canadian currency's dive from parity or better with the American dollar a couple of decades ago, to less than two thirds of its value today. All of these problems, from Quebec separatism to economic sluggishness (as compared, e.g., with the US), are the result of what Johnstone celebrates as "the national system of citizenship rights" introduced as part and parcel of Trudeau's effort to institutionalize Canadian "liberal federalism." Thus, in the futile effort to appease the Quebec New Class, the federal government has come up with all sorts of socially-disruptive constitutional gimmicks, such as the absurd two-language pastiche (*de facto* rejected and hated by both Canadian Francophones and Anglophones), which, instead of turning a loose but functional confederation into a liberal federalist system, has been a threat to country's feeble unity ever since.

Johnstone thinks "social justice" trumps the "politics of place." But social justice in Canada has long since degenerated into a flat "political correctness,"[2] seeking to further homogenize Canadians into dull versions of Johnny-be-good — dull enough to believe, with Johnstone, that they enjoy "free health care." Maybe it is the Holy Ghost that pays for Canadians medical services — which may explain why they have become so inferior to what is available south of the border. In fact, this health care business is the source of an absurd national chauvinism, directed against a US that Canadians envy, copy, but demonize any chance they get. Not surprisingly, whenever possible, Canadians who can afford it head south not only for some sun, but also for more competent and prompt health care. By now, practically all top Canadian doctors have emigrated to the US, where New Class efforts to nationalize health care have repeatedly failed. To be sure, Canada is not all that bad. Nor is it all that great, and is not really getting better, with its 15% sales taxes, its idiotic anti-Americanism, and the pretense to be really different from its culturally-identical southern neighbor.

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2. In attempting to impose probably the world's most absurd version of "political correctness," the more fanatical branches of the Canadian New Class resort to dishonesty and fabrications. For an account of how Canadian feminists, have falsified statistics and rewritten recent Canadian history as one of mysogeny, see John Fekete, *Moral Panic: Biopolitics Rising* (Montreal-Toronto: Robert Davis Publishing, 1995).

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The problem with Canada's liberal federalism is that, as has already happened with the American model, it seeks to be all liberalism and no federalism. Had it not been from grass-root resistance — especially from the Western provinces — under the pretense of enforcing "social justice" and "citizenship rights," Ottawa would have homogenized and impoverished all of Canada into Third World status. The Canadian choice is not, as Johnstone unwittingly suggests, "between Auschwitz and Uri," but between the US and Mexico. Thanks to its New Class, it may well be the worst of all outcomes: a politically correct Mexico. *Hasta la vista* Canada!

6. Between Neighbors and Big Brother.

Johnstone trusts neighbors only as long as there is Big Brother in the background (camouflaged as "old liberal guarantees") making sure no one misbehaves, since populists (and anyone placing democracy above liberalism) "do not always take kindly to women, Jews, gays, blacks, commies, immigrants, the Scotsboro boys and others." But all the "old liberal guarantees" Big Brother is supposed to provide were pretty much in place when anti-Semitism was widespread in the US and Canada, segregation was institutionalized in the American South, and immigrants were systematically discriminated against almost anywhere. They were not much help then and may not be in the future, were predominant socio-economic and cultural conditions to change drastically. The Canadian "Charter of Rights" or the UN Charter are nothing but pieces of paper requiring people in flesh and blood to enforce them. The freedoms that "human rights" are meant to guarantee will be enjoyed, not because of any transcendental power of the "old liberal guarantees," but because they remain internalized by the particular cultures that believe in these values. And these values cannot be invented by any committee of New Class intellectuals commissioned by Big Brother or by the UN. They can only be transmitted by those traditions that Johnstone and New Class ideologues reduce to stoning "bad women" and lynchings. Thus, the paradox of human rights ideology is that its deployment implies the erosion and destruction of precisely those conditions (traditions and customs) without which "human rights" become impossible to practice.

That traditions occasionally involve *prima faciae* barbarities such as stoning "bad women" — rare occasions hypostatized by Johnstone from exceptions to common practices, as if the Talibans had nothing better to do — is beyond doubt. Yet, these practices have an integral regulatory function within the cultures that practice them, such as reducing almost to non-existence adultery, divorce, unwed mothers, etc. Johnstone abhors "killer-communalism" and "predatory-populism." These slogans, however, are mostly figments of his imagination. The rare crimes of "killer-communalism" and "predatory-populism" do not compare with the routine crimes of the various Big Brothers in the 20th century — including those of the Biggest of all Brothers, the US. How many people have been murdered by

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the US government at Waco and Ruby Ridge, and how many women have been stoned to death in Afghanistan since the Taliban took power?

7. Liberal Platitudes vs. Realpolitik.

What is wrong with human rights ideology is not that it is historical, as Johnstone assumes in his summary of populist objections to liberalism, but that it is part and parcel of a new and more pervasive logic of domination. The emphasis on the historical character of human rights is only meant to deflate its absolutist and universal pretenses, while forcing New Class ideologues to defend their particular ideology as *one among many*, without the usual universalist and absolutist claims meant to automatically exempt it from critical scrutiny. Johnstone seems to have gotten this point. Thus, he accepts the challenge and proposes to defend claims made by human rights advocates. The claim he proposes to defend is: "genocide is intrinsically evil" — as if there was anyone these days, or ever, who has defended genocide. Even the Nazis justified "the final solution" to themselves as a military emergency. The issue is a different one, having to do with the necessarily particular and one-sided character of human rights ideology, and its imperialistic pretenses. Human rights violations are really violations, not in the abstract, but only if the particular perpetrator has explicitly agreed to abide by international or national mandates *legally* defining certain practices as "violations of human rights," subject to censure and punishment. When the US, NATO or the UN intervene to chastise or punish countries or groups engaging in violations of human rights — groups that have never agreed to any legal strictures or military interventions to curb violations — they do so not as the neutral executors of transcendental mandates, but as political subjects making particular political decisions.

While it took centuries to discredit the absolutist claims of dogmatic religions (which legitimated forced imposition on all "infidels"), it should not take that long to deflate the equally untenable universalistic pretenses of "human rights" ideology. Johnstone likes this ideology. Nothing wrong with that. He should, however, mind his own business and, as in the case of other fanatical fundamentalists, stop trying to shove it down anyone's throat. It is not a matter of making any profound choice between approving or disapproving of genocide, but of Big Brother being able to enforce "human rights" independently of any *democratic* legal framework accepted by all political entities subscribing to it — in which case, it degenerates into a standard version of "authoritarianism," i.e., a system deploying violence without any prior democratic legitimation.

Here Johnstone and New Class ideologues run into yet another paradox. They become blinded by their self-serving misunderstanding of fascism as an exclusively authoritarian system *illegitimately* deploying state violence, rather than as a political alternative to parliamentary or liberal democracy, often enjoying full democratic legitimacy (as in the case of welfare states with *de facto* fascist

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institutional structures). As many critics dating back to the early 1940s have argued (e.g., the Frankfurt School), fascism is not another name for authoritarianism, and can very well be both democratically legitimated and a potentially viable form of government. As the argument goes, this is precisely what has happened in liberal-democratic welfare states such as the US and Canada. Far from populism being "fascist" in Johnstone's superficial and emotive sense, i.e., "authoritarian," it is human rights ideology that can be so charged, when it deploys human rights as universal and absolute law, without any proper democratic legitimacy. What Johnstone calls "the fascism problem" has nothing to do with populism, where every political move enjoys full democratic legitimation, but with liberal systems that strangle democracy with all sorts of absolute and universal rights. Today, the threat of "totalitarianism" (assuming that concept makes any real political sense[3]) does not come from a few scattered populists unsuccessfully struggling to make their voice heard in the politically correct liberal public sphere reserved exclusively to certified speakers.[4] It comes from Big Brother masquerading — as was the case with Hitler and Stalin — as a crusader for a "common good" that may not always be appreciated by those who are supposedly the beneficiaries.

8. The Liberal vs. the Populist Compromise.

Aware of the dangers involved with the concentration of power at the center, Johnstone wants to salvage localist prerogatives without, however, threatening in the least the primacy of the central government — despite the localists' alleged "fascist" potentials. Thus, he proposes the theory and practice of the "human rights compromise." Throw a few vacuous human rights crumbs at the populists and leave everything else as is. Considering the vagueness of these rights and the selective way they are enforced, this is hardly the deal of the century. Worse yet, as can be seen from the history of the US following the federalist debate during the drafting of the American constitution, far from strengthening local authority, the expansion of rights always results in the opposite. Even as explicit an injunction against the centralization of power without the states' explicit consent, such as the 10th Amendment to the United States Constitution, has been useless against the constant growth of a distant and unaccountable New Class bureaucracy in Washington, impervious to any changes in the political orientation of the various administrations. Johnstone's "human

3. For a discussion of the problems with the concept of "totalitarianism," see Luciano Pellicani, "Modernity and Totalitarianism," in *Telos* 112 (Summer 1998), pp. 3-22; and Alex Delfini and Paul Piccone, "Modernity, Libertarianism and Critical Theory," in the same issue, pp. 23-46.

4. For a critique of how less-than-eloquent citizens (such as most populists) are automatically excluded from the liberal public sphere, see Nicholas Meriwether, "Discourse Ethics and the Problem of Oppression," in *Telos* 119 (Spring 2001), pp. 99-114.

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rights compromise" is no compromise at all, but another ideological smokescreen to further marginalize the locals.

A real compromise would involve the radical deployment of the principle of subsidiarity, relegating to the central authorities only those tasks that cannot be discharged at lower levels. It would reject national homogenization, whereby every school has to follow the same curriculum, every medical practice has to be approved by the same central agency, all living standards have to be the same; while cultural particularity is reduced to irrelevant forkloristic or gastronomical details. It would decentralize tax collection and rule out the routine congressional blackmails where, e.g., prevented by the Constitution from directly forcing the states to follow particular federal mandates, the federal government coerces the states into submission by threatening to withhold federal funding. It would not prevent parts of the country from breaking away from the federation, if they so desire; and if the reason for the break is the retention of despicable practices such as slavery, then it would not force the secessionist parts to remain in the federation, but declare war on them *after* the break. Unlike liberal regimes that cannot make any political decision other than those camouflaged as the acceptance of the inevitable or the enforcement of higher mandates, a federal populist regime would act as a political subject responsible for its own decisions. This is what happens anyway: if, through some inconceivable turn of events, the first Bush had lost the Gulf War, he would have been tried as a war criminal, along with all those allies he talked into participating in the deed. Real democracy requires real freedom and the kind of real responsibility and accountability that liberal-democratic (or liberal-federalist) regimes avoid at all costs.

9. Lincoln, Jefferson and Mohammed.

True to form, Johnstone does not want to *choose* between Lincoln and Jefferson even though, contrary to what he claims, he cannot have both. Democracy and liberalism are incompatible; liberal values are legitimate only if they are not imposed from above by a central government pretending to know better. To reiterate: there is absolutely nothing wrong with *democratically legitimated* human rights. This means that, if Muslim countries reject them, do-good Canadians, Americans and Europeans can only deploy persuasion. If that fails, then they should accept the fact — unless, of course, this rejection has detrimental implications for others (in diplomatic speak: unless it threatens others' national interests). Liberals must learn to respect others with radically different views, and stop imposing their own values, be they human rights or flagellation. The same goes domestically for more run-of-the-mill legislation. Thus, had the ridiculous Canadian bilingual policy been submitted to a country-wide referendum, it would not have received even 10% popular support. On the other hand, Wall-Mart and McDonalds, both of which Johnstone apparently detests, are constantly legitimated, not by Big Brother's approval or disapproval, but by the people's vote of

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confidence every time they frequent such establishments. People deserve human rights if they so choose, but by the same token they also have a right to a Big Mac or Wall-Mart gadgets — no matter how much Johnstone may dislike it or assume that it has detrimental effects on community life.

Capitalism and populism are not incompatible. They clash only when the capitalists are outside manipulators, lacking commitment to any particular community. In such cases, it does not help to deploy a strong interventionist state as a counterweight, thus multiplying dependence and exploitation. The best answer often lies in strong cultural rootedness, whereby citizens/consumers are able to make meaningful choices concerning their lifestyle and mode of interaction. Scapegoating capitalism is only a convenient way for New Class ideologues to legitimate once again their mediational role between an allegedly all-powerful capitalism and an inept populace, which relies on traditions as much as liberals do. Contrary to Johnstone's dissociation of tradition and liberalism, the latter is also a tradition — that of secularized Protestantism.

Since populists are not fanatical fundamentalists trying to have everyone buy into their particular axiological framework, they have no interest in convincing people of "the meaninglessness of their rights," as Johnstone assumes. The ball is not in their court, since they are not playing that game. It is up to liberals to learn to be really tolerant, mind their own business, and accept otherness and difference. If populists believe in the pedagogical virtues of spanking and other acts of mild physical intervention, liberals have no business calling it "child abuse" and criminalizing it on the basis of some distorted "human right." As long as liberals stick to cuddling and spoiling only their own children — and accept the consequences of personality dysfunctions once they grow up — populist have no objections. Unfortunately, that does not happen and, often, under the pretense of protecting the rights of other people, they end up annihilating the Branch Davidians and other groups they dislike. One of the most fundamental human rights should be that of individuals and groups to be left alone, as long as they do not bother others. Stick with John Stuart Mill and forget about John Rawls' pseudo-justice.

10. Real vs. Pseudo-Pluralism.

Johnstone thinks that the West today is "a dynamic synthesis of opposing wisdoms, which defies and transcends absolutism, dualism, faddism, fundamentalism, cultism, born-againism, flat-earthism, federal populism, and any other one-sided view of the world." Why does he exclude welfare liberalism from the list? Why not go all the way and accept those who are radically different, such as the Muslims and other fundamentalists, who reject human rights and New Class Ideology? How is the New Class more legitimate than the Imams? Today, the West is a confused mix, wallowing in decadence and sustained only by those ineradicable traditions that liberalism constantly undermines. Johnstone calls for

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"universalism, human rights, and the rule of law." Were he a truly tolerant and a genuine pluralist, he would realize that even the Talibans subscribe to their version of universalism, the rule of *their* law, and the belief that extreme measures such as flagellation are inalienable community prerogatives — their brand of human rights. Does Johnstone really think he can convince them otherwise by trying to sell them profound claims such as that "genocide is intrinsically evil"? If he is really bothered by flagellation, sooner or later he will have to consider sending in the Marines (or, in his case, the Royal Canadian Mounties), not because of phoney "human rights violations," but because the Taliban's practices are repulsive to *particular* Western sensibilities.

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Reviews:

Between Myth and Reality: George L. Mosse's Confrontations with History

George L. Mosse, *Confronting History: A Memoir* (Madison: University of Wisconsin Press, 2000).

The name George L. Mosse is likely to be known to anyone who has taken a modern European history course at an American university during the past thirty years. Until his death in 1999 at the age of 80, Mosse had established a reputation as one of the great teachers and scholars in European cultural and intellectual history. What made his career exceptional is that he made major, and in some instances pioneering, contributions to several different areas of history. Early on, he became famous for his work on the intellectual origins of National Socialism. But in the twenty or more books he wrote or edited over a span of nearly five decades, he also explored themes in the religious history of the 16th and 17th centuries, the origin and effects of nationalism, the development of European racism, the place of Jews in modern culture, the nature of fascism and fascist aesthetics, the role of images, symbols, and rituals in Western history, the historical function of memory and memorials, and the relation between sexuality and politics in the modern era.

To describe the background of these achievements and to provide an account of other events in his life, Mosse wrote, in his last years, a memoir entitled, *Confronting History.* To his credit, Mosses rightly asks at the beginning of this work: why an autobiography from someone who is *merely* a historian, and not a mover or shaker on the world stage? His answer is a modest one. The memoir was written, he says, not because he is an individual that is important, but because his life helps illuminate from a personal angle "the cataclysmic events of our time." This answer sets the right tone, but as it turns out Mosse's autobiography does more than simply shed light on the larger configurations of the 20th century. It is also an occasion for self-examination, for in this work Mosse attempts to learn, through a recollective process of self-discovery, how he became who he was: to discern the trajectory that led from the young boy introduced to in the early pages of the book to the person he had become by the time he wrote his memoir.

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There is something disarming about this approach to autobiography. Unlike other intellectual historians of modern Europe who have recently written memoirs or fragments thereof,[1] Mosse is surprisingly vulnerable. While he is not shy about touting his successes, he is at the same time quick to admit shortcomings and limitations, and even to search out the underlying reasons for them. As a consequence, *Confronting History* is not a work that proclaims "this is who I am and what I have done!" but rather one that wonders "exactly who am I, and how did I get here?" In the course of addressing these questions, Mosse recaptures something of the now vanished German-Jewish world of the 1920s in which he grew up, and he hints that if there is any clear answer to the "who am I?" question, it may lie embedded in the particularities of his family and cultural background.

Before turning to *Confronting History* (and then to some broader aspects of Mosse's work) a note of what journalists call "full disclosure" is in order. I studied with Mosse at the University of Wisconsin in the 1960s when he was just coming into his first fame, so my response to his autobiography is unavoidably colored by these early experiences. Like all the students who worked under his direction, I learned at least two important things. One is to treat with healthy skepticism all claims or observations a person makes about himself, and the other is to be aware of just how much perception shapes — but also distorts — a person's sense of what "reality" is. Mosse gave careful attention especially to this latter point. For him, in every matter one might consider, there are always the "facts of the case" on the one hand, and the perception of them on the other. Perception not only selects what is noticed out of a myriad of things that are actually present to consciousness, but also interprets what is noticed, thereby giving it a particular spin. In history, interpretations are, in Mosse's view, more important than facts, for it is what people *think* is real that determines their responses to the world in which they live. In this regard, nearly all of Mosse's works are about perceptions more than facts, i.e., about how what people perceive to be real literally becomes real for them, sometimes with beneficial and sometimes baneful consequences.[2]

I bring up these two Mossean qualities in order to say that I have not only taken them to heart, but have also made use of them in my comments on Mosse

1. See H. Stuart Hughes, *Gentleman Rebel: The Memoirs of H. Stuart Hughes* (New York: Ticknor and Fields, 1990); Peter Gay, *My German Question: Growing Up in Nazi Berlin* (New Haven: Yale University Press, 1998); Walter Laqueur, *Thursday's Child Has Far to Go* (New York: Charles Scribner's Sons, 1992); Eugen Weber, "Introduction," in *My France: Politics, Culture, Myth* (Cambridge, Mass.: Harvard University Press, 1991), pp. 1-18; and Carl Schorske, "The Author: Encountering History," in *Thinking with History: Explorations in the Passage to Modernism* (Princeton: Princeton University Press, 1998), pp. 17-34.

2. For Mosse on perception, see his *The Culture of Western Europe: The Nineteenth and Twentieth Centuries* (New York: Rand McNally and Company, 1961), pp. 1-9; *The Nationalization of the Masses: Political Symbolism and Mass Movements in Germany from the Napoleonic Wars through the Third Reich* (New York: Howard Fertig, 1975), pp. 1-46; *Fallen Soldiers: Reshaping the History of the World Wars* (New York and Oxford: Oxford University Press, 1990), pp. 34-156; and *Confronting History*, *op. cit.*, pp. 176-77.

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and his work. Some of what Mosse perceived to be true about himself may not have been so — or at any rate might easily be interpreted differently. But even where Mosse mis-perceived aspects of his own life, there is something to be learned from these misperceptions, for they are what he carried around with him, and ultimately they are what led to the self-understanding and self-representations one finds in the pages of *Confronting History*.

Beginnings

Gerhard (later George) Lachmann Mosse was born in Berlin in 1918 just weeks before the end of WWI. The Jewish family into which he was born was one of the wealthiest and most eminent in Germany. His maternal grandfather, Rudolf Mosse, was the founder of an extensive advertising and publishing empire which included the famous *Berliner Tageblatt*, probably the most influential newspaper in the country. After Rudolf's retirement in 1920, Mosse's father, Hans Lachmann-Mosse, took charge of these enterprises, though with only mixed success. As the scion of this highly cultured and well-placed family, George Mosse grew up in a world of extreme affluence — the world of the German-Jewish *haute bourgeoisie* that would hardly outlast the decade of the 1920s. At eight, he had a car of his own, though he was still chauffeured everywhere. He had servants, butlers, and governesses to attend to his every need. Meals were served in his own suite of rooms, either in his opulent Berlin residence or at Schloss Schenkendorf, the Mosse country estate outside Berlin. Extended trips to St. Moritz, Chamonix, and the French Riviera were taken for granted.

This comfortable and apparently stable world came to an abrupt end with Hitler's ascension to power in 1933. Most of the Mosse holdings were eventually expropriated, the *Berliner Tageblatt* (after some resistance) fell into Nazi hands, and Mosse's immediate family was forced to flee Germany for its own safety. Mosse himself managed a lucky escape to Switzerland, and after spending some time in a boarding school near Zurich, ended up in England by the mid-1930s.

As a child in Germany, Mosse had been sheltered from harsh political realities. But as an 18 or 19 year old in England (by now he was a student at Cambridge University) he experienced his "true political awakening." Remarkably, this awakening was not triggered by the rise of Hitler, but by the Spanish Civil War, which he considered the catalyzing event of his generation. This war consumed much of his energy and attention, but only in the form of discussions and demonstrations. He never entertained the idea of joining the Oliver Cromwell Brigade or other volunteer groups to actually go and fight, as did a number of young intellectuals from Cambridge.[3] In 1939, with his citizenship status in England in doubt, Mosse traveled to the US, where he became stranded when war broke out in September. Thanks to another stroke of good fortune, he was

3. On these Cambridge volunteers (whom Mosse does not mention), see Peter Stansky and William Abrams, *Journey to the Frontier* (New York: Norton, 1966).

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able to obtain a US visa and enroll in Haverford College without going through the usual procedures. Later, he was accepted into Harvard University for graduate study, received his first teaching appointment at the University of Iowa, and remained in Iowa City for eleven years, until he accepted a position at the University of Wisconsin in 1956 (by which time he had become a US citizen). At Wisconsin, Mosse began specializing in modern European cultural and intellectual history, the field in which he would eventualy make his reputation.

Mosse in the 1960s

In Madison, Mosse became an important figure for the emerging New Left of the 1960s. By the middle of that decade, many of his students had moved to the forefront of the campus opposition to the war in Vietnam as well as into active participation in the Civil Rights Movement. But despite the role he was to play for these and other students, Mosse himself was not, strictly speaking, a man of the Left. Rather, he was a liberal of the classical, Enlightenment mold. Some of the central assumptions of the worldview he held were taken directly from the breviary of 19th century European liberalism, among them the notion that reason is the best guide to life and politics, that pluralism and tolerance are indispensable pillars of a good society, that individual autonomy is one of the highest goals to which a polity can aspire, and that individual freedom is perhaps the primary value worth defending today — though by freedom he did not mean a *laisser aller* kind which proposes breaking away from virtually all authority and all constraints. Instead, Mosse's notion of freedom had a heavy German accent in that it implied, as part of its very definition, responsibility, self-discipline, moderation, and (most German of all) respect for order.

These liberal principles Mosse no doubt acquired from his father and grandfather, both of whom were staunch German liberals. But going even further back, the liberalism Mosse espoused was of a type first articulated in the *Aufklärung,* especially by Lessing, Mendelsohn, Kant, Schiller, and Goethe. Mosse considered himself a 20th century heir to this idealist and humanitarian liberal tradition — one that had failed to survive its promising origins once the German masses became attracted to nationalist, racist, and *volkish* currents of thought.[4] As it happened, the principles Mosse championed were important to the burgeoning student Left in Madison for two seemingly contradictory reasons. On the one hand, for some radicals Mosse became the embodiment of the

4. The thesis of one of Mosse's most provocative books, *German Jews beyond Judaism* (Bloomington: Indiana University Press, 1985), is that German Jewry picked up and continued the legacy the Germans abandoned. Well into the 20th century — or so Mosse argued — it was educated Jews above all who remained loyal to the highest ideals of classical German liberalism, in part because they sensed (correctly) that their security depended on the perpetuation of just such ideals. For a different view of this thesis see Steven E. Aschheim, "German Jews beyond *Bildung* and Liberalism," in *Culture and Catastrophe: German and Jewish Confrontations* (New York: New York University Press, 1996), pp. 31-44.

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inherent limitations of the liberal worldview, especially during times of crisis or breakdown when measured talk about reason, freedom, and humanity appeared beside the point. On the other hand, Mosse's open-mindedness and the great respect he showed for his students' opinions were the very thing that led him to reach out to the Left — though always as a critical outsider willing to "dialogue" with, but not fully go over to it.

While Mosse represented the German-Jewish liberal tradition to the Madison New Left, there was someone else on campus who represented the European Marxist tradition: Harvey Goldberg, who arrived at the university in 1963 to teach French history and the history of social movements. As the personification of the impassioned *gauchiste* intellectual, Goldberg quickly became Mosse's chief rival, both ideologically and in terms of the number of students he drew to his classes. Whereas in his lectures and writings Mosse advocated rational-pluralistic values, Goldberg argued for radical equality, solidarity with the oppressed, and the need to expropriate the expropriators. In his popular "Contemporary Societies" course, Goldberg spoke to packed lecture halls of many hundreds of students (about the same numbers Mosse addressed) not about Kant or Goethe, but about the Levellers and Diggers in the English Civil War, about Babeuf and Blanqui and the goals of French Jacobinism, and about the achievements of Lenin and Trotsky in the Russian Revolution.

Both Mosse and Goldberg were brilliant speakers, but their styles were entirely different, reflecting the different messages they sought to convey. Speaking always with an authoritative voice, Mosse used humor and irony to engage his students. His aim was first and foremost to produce clarity and understanding in his listeners. By contrast, Goldberg was not a better, but certainly a more intense and electrifying lecturer, who was blessed with the oratorical skills of his hero Jean Jaurès, of whom he wrote the definitive biography. As a Marxist, his aim was naturally not just to help students interpret the world more adequately, but to lead them to change it root and branch. In the end, however, what separated the two historians most was less their speaking styles than their disagreement about fundamentals, for instance, about how to deal with political violence. As a rule, Mosse was against violence under any circumstances, but Goldberg refused to condemn it out of hand. Under the right conditions, it seemed necessary if one were serious about meaningful social change. In any event, for Goldberg violence was simply a fact of life; it could be used for good or ill, but it would never disappear. Whereas Mosse, perhaps with the Holocaust in mind, reminded his classes of the human destruction wrought by violent acts, Goldberg put a much better face on "positive" violence by pointing out that, historically speaking, red terror has never been as horrific as white terror. In a similar vein, Goldberg was sure that socialism would eventually triumph around the world, because "the truth is radical" and "the earth is young." For Mosse, however, there were no certainties in history, and truth was ultimately unknowable,

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since, as he characteristically put it, "reality is [only] a matter of degree."[5]

Aside from the political scene in the 1960s, and unbeknownst to all but a few who knew him well, Mosse was also coming to terms with his sexual identity. From early on, as he states in his memoir, he sensed that he had homosexual "inclinations," but he kept them to himself. Only in his thirties was he able "halfway" to acknowledge their presence as integral to his identity, rather than merely passing, and even then, he says, he remained chaste until well into his fifties. This acknowledgement and ultimate acceptance of his homosexuality was done privately; Mosse never made it a public issue during the 1960s. Indeed, had he written his memoir twenty or thirty years earlier, his sexual inclinations may not have been mentioned at all, since they probably would have appeared both unseemly (by the standards of the time) and irrelevant to his career.

The Insider as Outsider

Throughout *Confronting History*, Mosse portrays himself as an outsider, and on the face of it there is something to this self-representation. From the time he arrived in the US, he was a refugee (and for a while a stateless immigrant) who could not help but feel like an outsider looking in. After his first academic appointments in the 1940s and 1950s, he discovered another mode of what he termed "outsiderdom," this time as the rare Jew in American higher education. In addition to this, he was a homosexual, though he kept this fact hidden from others until his growing national and international reputation led him to feel "pretty secure" about his sexual identity. All of these things made Mosse, in his view at least, fundamentally and intractably an outsider.

This picture, however, is misleading. From the beginning of his life, Mosse was very much the insider. As a youth in the Weimar period, his family connections gave him extraordinary insider status, which in turn opened many doors for him — politically, culturally, and educationally. Likewise, his entry into the US in 1939 would not have been possible without pulling strings in high places. Later, he was admitted into Harvard, not because of his grades — his academic record, as he admits, was at best "spotty"— but because one of his family homes was located in Berlin-Charlottenburg, and there happened to be a scholarship available for anyone who could prove that he resided in that affluent section of Berlin. Later on, Mosse hints that his association with the powerful Mosse publishing empire played a role in his history appointment to the University of Iowa in 1944. Thus, it

5. See Tom Bates, *Rads: The 1970 Bombing of the Army Math Research Center at the University of Wisconsin and Its Aftermath* (New York: Harper-Collins Publishers, 1992), pp. xii, 98-99, 435-42; and Paul Buhle and Edward Rice-Maximin, *William Appleman Williams: The Tragedy of Empire* (New York and London: Routledge, 1995), pp. 148-49, 160 and 280n. On the Mosse-Goldberg rivalry, see also Paul Breines, "With George Mosse in the 1960," in Seymour Drescher, David Sabean, and Allan Sharlin, eds., *Political Symbolism in Modern Europe* (New Brunswick and London: Transaction Books, 1982), pp. 285-99; and Mosse's own comments on Goldberg in *Confronting History*, pp. 160-61.

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is clear that Mosse was a genuine insider, and often benefited accordingly. Why, then, did he feel the need to portray himself as a "permanent outsider"?

The reason lies in Mosse's sense that to be an insider means to be seriously compromised in some manner or the other, or to succumb to some sort of conformist group-think. To be an outsider meant to stand alone, to be an autonomous individual, and as such to have the freedom to be creative and experimental on one's own terms. Unsurprisingly, given this understanding, Mosse needed to think of himself as on the outside, even though by almost any criteria this was not the case.[6]

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6. By contrast, the sociologist Hans Gerth, whose life in some ways paralleled Mosse's, was and remained a perennial outsider. Born in Germany in 1908, ten years earlier than Mosse, Gerth studied for a time with Adorno and Horkheimer in Frankfurt, eventually becoming Karl Mannheim's student and research assistant. With a Ph.D. in 1933 (but also with pronounced leftist leanings), there was little hope for Gerth at a German university, so he accepted a job as a journalist with the *Berliner Tageblatt*. He remained in Berlin as a journalist until 1937, writing some one-hundred or more feature articles, book and film reviews, many of them covertly critical of the Nazi regime. Finally, fearing for his safety, Gerth fled to the US, but upon arriving in New York found himself under attack by those members of the émigré community he had known in Frankfurt (e.g., Hannah Arendt, Gunter Stern, and others) who thought that by staying in Germany too long, and by not taking a principled stand against National Socialism, Gerth had in effect conferred legitimacy on Hitler. See Gerth's interview with Matthias Greffrath "'As in the Book of Fairy Tales: All Alone. . .' A Conversation with Hans Gerth," in *Politics, Character, and Culture: Perspectives from Hans Gerth*, ed. by Joseph Bensman, Arthur J. Vidich, and Nobuko Gerth (Westport, Conn.: Greenwood Press, 1981), pp. 32-35. Because he was regarded as an "Aryan latecomer," Gerth's job prospects at the New School or elsewhere on the East Coast were not good, but he managed nonetheless to obtain an academic position teaching sociology at the University of Wisconsin in 1938, and there he remained for the next three decades. In Madison, Gerth was an isolated and melancholy figure. Despite his work introducing and translating Max Weber and other European theorists, he was for years denied promotion or salary increases by his colleagues who saw little merit in his undertakings. They also discouraged graduate students from working with him. As time went by, Gerth became more and more estranged from a university environment that seemed filled with careerists, con artists, and what he called "inside operators." See Guy Oakes and Arthur J. Vidich, *Collaboration, Reputation, and Ethics in American Academic Life: Hans H. Gerth and C. Wright Mills* (Urbana: University of Illinois Press, 1999), p. 132. No honors were conferred on Gerth, nor any endowed chairs or distinguished professorships. Even when he did achieve some limited fame, it was due less to his own writings than to his role as C. Wright Mills' mentor and collaborator. About the same time Mosse was deservedly being lauded for his work, Gerth, finally responding to years of mistreatment, disappointment and personal depression, left Wisconsin and went back to the University of Frankfurt, where he held a tenuous visiting appointment for a few years, but was generally treated like a fossil from a bygone era. He died in Germany in 1978 at age 69, leaving behind some 2000 pages of unpublished manuscripts (in contrast to Mosse who had no trouble publishing nearly everything he wrote). On Gerth as an outsider, see Oakes and Vidich, *Collaboration*, *ibid.* See also, Eleanor Hakim, "The Tragedy of Hans Gerth," in *History and the New Left: Madison, Wisconsin, 1950-1970*, ed. by Paul Buhle (Philadelphia: Temple University Press, 1990), pp. 252-63; and Evan Stark, "Talking Sociology: A Sixties Fragment," in *Radical Sociologists and the Movement*, ed. by Martin Oppenheimer, Martin J. Murray, and Rhonda F. Levine (Philadelphia: Temple University Press, 1991), pp. 54-73.

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No one who had been awarded the Bascom Chair of History at Wisconsin, then later the Weinstein-Bascom Chair of Jewish Studies, and then later still the Koebner Distinguished Professorship of History at the Hebrew University of Jerusalem could legitimately claim to be an outsider any more!

Here perception did indead usurp reality. Nonetheless, the fact that Mosse chose to embrace this particular notion of who he was is revealing. It is also a bit confusing, because in the historical work of his middle years, the outsider was often pictured as an unpalatable figure: one inclined to seek what Mosse himself rejected, namely total rather than reformist solutions to social problems. But when Mosse applied the notion of outsiderdom to himself, he found it useful, since it matched his own self-image. For one thing, it enabled him to be a better historian, since as an outside "spectator . . . suspended above events" he could eschew "commit[ment] to [any] set worldview" in order to empathize more fully with all worldviews, even those "considered evil and dangerous."[7] For another, it allowed him to be a better critic, since, by writing and thinking outside the framework of all "in groups," Mosse believed he could become an effective "agent provocateur"— someone who, as he put it, "break[s] taboos," destroys myths, challenges "conventional belief systems," and "constantly provoke[s] the establishment," all in the interest of "get[ting] people to think."[8] Ultimately, being at the same time an empathetic historian and a trenchant critic may be irreconcilable undertakings, but for Mosse, both were equally important, and both required at least some degree of identification with, and heightened sensitivity toward what he called "the position of the excluded."

At Wisconsin, there were outsiders who never became insiders,but Mosse was not one of them. He was firmly in the establishment, yet not really part of it; he was "respectable," but at the same time also a "critic of respectability." Rather than being disconcerted by these ambiguities and apparent contradictions, Mosse fed off of them, and even made them a spur to his best historical work.

Mosse as Historian

For those who did not know Mosse as a teacher, his chief legacy is the *oeuvre* he left behind. His writings are extremely wide-ranging, but through all of them Mosse manifested some characteristic strengths which mark him as a historian. One was his ability to analyze *sine ira et studio* even those events that most others considered reprehensible. Another was his capacity to put himself in the place of historical actors in order to see the world from their viewpoint. Yet another was his historical imagination, which permitted him to glimpse relations that other historians failed to notice. Here a certain intuitiveness came into play in Mosse's work, for he seemed to rely to an unusual degree on guesses or hunches which generally turned out to be correct. Some of his most original theses appear

7. Mosse, *Confronting History*, *op. cit.*, pp. 7, 217.
8. *Ibid.*, pp. 147, 180 and 185.

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to have been based more on inspired conjectures than on the careful gathering of evidence. In reading Mosse's many books, one senses that his insights came first, and the details — often treated as mere *bagatelles* — only later. In this regard, Walter Laqueur was not wrong to observe that Mosse sometimes showed the "disdain of a grand seigneur" toward names and dates,[9] with the result that his writings frequently lack the precision prized by traditional historians. Yet, what Mosse forfeited in precision he more than made up for through his skill in grasping the underlying forces at work *beneath* the surface minutiae of history.

In addition to these various strengths, Mosse can also be credited with a number of methodological innovations, such as the development of what he called "subintellectual history."[10] When Mosse first began publishing in the 1950s, two ways of doing intellectual history dominated the field. One was the history of ideas approach, which sought to follow a single idea over time by observing its many permutations and adaptations, its expansions and contractions. Here the main concern was with changes in the idea itself, not with the influences the idea may have had on society. The other was what might be termed the "history of intellectuals" approach, which focused mostly on the high cultural achievements of the elite few of any age: the ones who enunciated and developed what H. Stuart Hughes called the "civilized values" of the period in which they lived.[11] Challenging these two approaches, however, was another method — one labeled cultural history — which attempted to view social and intellectual life from the bottom up rather than the top down. Borrowing to some extent from anthropology, cultural history endeavored to discern the patterns of thought that prevailed not among the intellectual elite (almost always a tiny and untypical minority), but within the population as a whole. In this instance, the historian's attention was directed toward the assumptions, expectations, fears, and anxieties that supposedly characterized the "mind of everyman."[12]

Within this broad methodological context, Mosse's achievement was to carve out an important middle ground between the intellectual world of the elite and the ideas held by the masses, and to make this realm his main subject of study. What Mosse found in this middle ground were a number of third and fourth-rate intellectuals who, in practical terms, wielded greater influence than

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9. See Walter Laqueur, "Forward" to *Confronting History*, *op. cit.*, p. xi.

10. Mosse, *Culture of Western Europe*, *op. cit.*, pp. 1-5; and *The Crisis of German Ideology: Intellectual Origins of the Third Reich* (New York: Grosset and Dunlap, 1964), pp. 1-2.

11. H. Stuart Hughes, *Consciousness and Society: The Reconstruction of European Social Thought, 1890-1930* (New York: Vintage, 1961), p. 10.

12. When Mosse began his career, the Dutch historian Johan Huizinga was the most influential articulator of the cultural approach to history, at least in the US. To be sure, in France in the 1930s and 1940s the so-called *Annales* school had begun to develop sophisticated methodologies for investigating the *mentalité* of popular as opposed to high culture. While the *Annales* methods would eventually become widely influential by the 1970s, they were not much utilized by American historians (including Mosse) a decade or two earlier.

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the more renown, cutting-edge thinkers of the time who were hardly read by the proverbial man on the street. According to Mosse, unlike first-rate thinkers, these less original third-raters did two things. First, they took ideas from their "betters" and translated them into a popular idiom, but often in such a fashion as to significantly distort their meanings. (For Mosse, these distortions were, historically speaking, more important than the "pure" ideas from which they were derived, since, when absorbed by the general populace, it was the distortions that ultimately entered the mainstream, and from there affected social and political developments). Second, the third-raters took barely noticed biases and prejudices present in the masses — e. g., deep-seated racial hatreds or resentments — and gave them both coherence and legitimacy. At least in Mosse's early view, it was these lesser thinkers who were especially dangerous, because they were the ones who created explicit ideologies out of a plethora of half-baked notions and long-standing animosities found throughout the cultural environment.

The methods of subintellectual history Mosse developed served him well in his best books. By bringing the third-rate intellectuals out of obscurity, Mosse showed how successful they were both as mediators between high and popular culture, and as barometers to otherwise hard-to-detect ideas that were "in the air." Today, this approach to intellectual history has been used successfully by other historians in areas far removed from those initially explored by Mosse.

Another Mossean methodological innovation was his investigation of the importance of symbols and images in modern mass movements. His guiding assumption was that, though all mass movements are informed by ideologies of one kind or another, these ideologies become effective in mobilizing populations only when they are first embodied in myths and then given concrete representation in symbols and images. Since by the 20th century a visual culture had replaced a verbal one, in Mosse's view the study of only the language of movements like European fascism or German National Socialism was no longer sufficient for understanding their popularity.[13] Instead, one had to look more closely at the iconography and aesthetics of such movements in order to comprehend, first, how objective reality got filtered or mediated (and hence "spun" in a particular way) by powerful symbols and images; second, how these same symbols and images shaped people's perception of reality; and third, how, by shaping perception, symbols and images also affected behavior by motivating millions of people to act in some ways and not in others.

This concern with superstructural factors in history led Mosse to pay considerable attention to the processes of manipulation. According to Mosse manipulation

13. Mosse's first book on National Socialism, *The Crisis of German Ideology* (1964), dealt almost entirely with ideologies as expressed in written form (e.g., racist tracts, nationalistically-inspired novels, philosophical and theosophic works, etc.). Only in *Nationalization of the Masses* (1975), which Mosse rightly called "a real breakthrough in putting my own stamp upon the analysis of cultural history" (*Confronting History*, *op. cit.*, p. 177), did his focus shift from the analysis of language to the analysis of images and representations.

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occurs when the influential few gain control of the dominant symbols and images, and thus determine the meaning they have for the population at large. Especially in the 19th and early 20th centuries, this control often took place through the medium of secularized rites, rituals, and liturgies, which Mosse analyzed in more detail, and arguably with more insight and originality, than any other contemporary historian. When manipulation is successful, people willingly — one might say mindlessly — assimilate the myths conveyed by the prevailing symbols and images. They do this by "internalizing" them and making them part of their overall "attitude toward life," and then comporting themselves as the myths dictate, while hardly noticing what they are doing. Still, Mosse was clear that no individual can claim to be a helpless victim of this manipulative process. In the last analysis, individuals must take responsibility for how they behave under the sway of symbols and images, and this meant that every individual has the obligation not only to be aware of, but to resist the forces of manipulation wherever they may operate."[14]

Yet another Mosse innovation was his pioneering investigation of issues relating to sexuality, and particularly to Western notions of masculinity. Of course, histories of sexuality existed before Mosse, but none of them touched on the linkages between sexuality and political ideology, or examined how attitudes toward the human body mixed with and influenced other currents of thought, or explored in detail exactly how middle class sexual norms were constructed in Europe in the 19th and 20th centuries. It is now widely acknowledged that Mosse's writings in these areas have opened up new avenues of research which others have recently carried forward into, among other places, postcolonial history and cultural studies. [15]

Taken altogether, these methodological innovations add up to an impressive achievement, but they do not in and of themselves indicate the nature or quality of argumentation one finds in Mosse's work. Here it is important to critically comment upon three separate but interrelated themes that were central to Mosse's historical studies in order to see more specifically what positions he took with respect to certain key developments in the unfolding modernity.

What Went Wrong in Germany?

Germany clearly took a wrong path in the 19th and 20th centuries, leading ultimately to the twin disasters of National Socialism and the Holocaust. Starting in the 1960s Mosse began asking why this *Holzweg* took place at all. Two seemingly contradictory explanations were offered. In an early one (laid out most fully

14. See Mosse, *Fallen Soldiers*, *op. cit.*, pp. 218-25; and *Toward the Final Solution: A History of European Racism* (Madison: University of Wisconsin Press, 1985), pp. 232-37.

15. See, for example, the Mosse-inspired collection of essays entitled *Nationalisms and Sexualities*, ed. by Andrew Parker, Mary Russo, Doris Sommer, and Patricia Yaeger (New York and London: Routledge, 1992).

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in *The Crisis of German Ideology* in 1964), the reader is introduced to the following argument. When the forces of modernization inundated Germany in the 19th century, they brought about displacement, alienation, and atomization. The German *haute bourgeoisie*, however, generally managed to escape the disorientation that others experienced, since they were the ones who profited from, and hence welcomed, the new industrial order. By contrast, the lower middle class, along with other declining or fringe sectors of the population, were not able to be so positive, since for them modernity meant a radical undermining of their lifeworlds, and therefore also of the core values and meanings that had once provided the ground of their existence. In response to the deteriorating situation, some intellectuals from the marginalized sectors of German society came forward to offer solutions to what they saw as the evils of the modern age. Estranged from and hostile to the dominant and allegedly "progressive" bourgeois culture of the time, these disgruntled individuals (Riehl, Lagarde, and Langbehn, among them) developed a *volkish ideology* to address their plight: one that simultaneously criticized the *status quo* as false, materialistic, and soul-destroying, and articulated an alternative idea of the "way things should be" based on an integrated *Volk* community.

By the early 20th century, a *volkish* outlook, even if it had gained some adherents, still represented only *one current* of thought in German life. Here and there, it became institutionalized in limited ways in the German Youth Movement and on the periphery of the German educational system. *Volkish* ideas also gained a foothold within limited-circulation journals, and among some formal and informal groups of intellectuals. Up to this point, however, only a *volkish* ideology had come into being, not a *volkish* mass movement. This situation changed dramatically following the German defeat in 1918, when feelings of anger and despair led millions to discover new merit in the *volkish* worldview, causing it to be institutionalized more widely in primary and secondary schools, in veteran's organizations, and even in respectable right-wing political parties such as the DNVP. During the Weimar period, then, a bona fide *volkish movement* came into existence: one that had acquired for the first time a "mass political base."[16]

Nevertheless, for Mosse there was still a crucial difference between a seemingly triumphant *volkish* movement and a separate movement emerging out of the same right-wing climate that came to be known as National Socialism. The latter fully embraced most elements of the *volkish* worldview, i.e., it was nationalist, anti-democratic, anti-Marxist, and so forth, but instead of calling merely for a "spiritual revolution," as many *volkish* thinkers did, National Socialism wanted an *anti-Jewish* one. To be sure, as Mosse made clear, anti-Semitism did figure prominently in much *volkish* thinking, but usually as only one factor among many, and not necessarily the primary one. In Nazism, however, the Jew became the center of the ideology and the cause of nearly everything wrong with modern

16. Mosse, *Crisis of German Ideology*, *op. cit.*, pp. 5, 237.

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society, for again, unlike most strands of *volkish* thought, Nazism was eliminationist from the outset: it claimed that only by removing Jews from Germany would everything be made right again.

Aside from these arguments, Mosse's work presumed that, despite other differences, both *volkish* and Nazi ideologies were united by a deep hatred of the bourgeoisie. As a class, the bourgeoisie was associated with liberalism, positivism, rationalism, materialism, and egoism, but since the far Right defined itself against every one of these qualities, it naturally considered itself resolutely anti-bourgeois.[17] As Mosse succinctly pointed out, National Socialism — and, by implication, the *volkish* movement as well — was "a reaction to bourgeois society . . . a protest against bourgeois materialism."[18] If this was so, then the Nazi and the middle-class worldviews would have to be seen as antithetical. The Nazis wanted no truck with, and in fact wanted to undo entirely, bourgeois values and lifestyles, while the German middle class, given its initial grounding in Enlightenment values, stood outside of and diametrically opposed to the mysticism, illiberalism, and mythological *Schwämerei* of extreme right-wing thinking.

An historian who strongly identified with the Western liberal-humanist tradition would be expected to see Nazism as the "pure, irrational antithesis of rational, liberal bourgeois modernity."[19] At first, this was indeed the position Mosse took in his work on the origins of National Socialism. But by the 1970s, he began moving away from this position in order to argue that Nazism, far from being the binary opposite of a bourgeois worldview, was actually a logical extension of it.[20] Now the blame for the German catastrophe was placed not on déclassé intellectuals who wrote against the establishment, but rather on the establishment itself, for it was the middle class that developed the values and created the analytical categories

17. The fact that so many of the promoters of *volkish* and Nazi thought were themselves either renegades from the middle class or intellectuals denied full admittance into the middle class (e.g., members of the so-called academic proletariat), seems to have only accentuated anti-bourgeois resentments.

18. See George L. Mosse, "The Occult Origins of National Socialism," in *The Fascist Revolution: Toward a General Theory of Fascism* (New York: Howard Fertig, 1999), p. 118.

19. See Steven E. Aschheim's discussion of this antithesis in "George Mosse at 80: A Critical Laudatio," in *Journal of Contemporary History*, Vol. 34, no. 2 (1999), p. 303. See also Arthur Mitzman's "Fascism and Anti-Sex," in *Stichtung Theoretische Geschiedenis*, no. 12 (1986), pp. 339-43 (as cited by Aschheim).

20. One can only speculate as to the reasons for this interpretive *volte face*. It may have been due to the fact that Mosse had gathered a great deal of new evidence which compelled him to revise — or rather reverse — his earlier argument. Given the way Mosse worked, it seems more likely that he simply re-thought his previous views and, in the process, arrived at radically different conclusions. Also relevant is the fact that by the 1970s Mosse had become more accepting of his homosexuality, and this acceptance may have deepened his sense of his own outsiderdom. As an alleged outsider, it was easier for him to take a second look at the value system of "insiders" (e.g., the established middle class),and as he did so he noticed some flaws and failures that had not seemed so pronounced earlier on.

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which Hitler later used to formulate the key elements of Nazi ideology.

This latter argument, best expressed in *Nationalism and Sexuality* (1985) started with the contention that a new ideal took hold within the European middle class in the 19th century: the ideal of "respectability." Respectability meant, among other things, possessing "decent and correct manners," being morally upright, suppressing or sublimating one's instincts, having a strong sense of duty (as, e.g., toward one's family or profession), working hard, and engaging in honest business practices. Although Mosse acknowledged that these qualities had the positive effect of stabilizing attitudes and creating the framework every society needs to avoid moral chaos, he also maintained that they also had disturbing negative effects. For instance, he claimed that wherever the ideal of respectability was embraced, a rough dichotomy of "us" vs. "them" emerged, with "us" meaning "we respectable ones" (the righteous, disciplined middle class itself), and "them" meaning those who lacked respectability (the dissolute, the deviant, the unproductive "others" of modern society). From this simple opposition, a whole taxonomy of differences was soon generated, which worked to the advantage of those who were "in," and to the detriment of those who were not. Put in the simplest terms, those who were designated, or who designated themselves, as "respectable" were said to be good, ethical, normal, healthy, and even beautiful (i.e., well-proportioned, harmonious, etc.), while those labeled "unrespectable" were bad, unethical, abnormal, diseased, and ugly (i.e., disagreeable in appearance, Jewish looking, etc.). Those who fell into the latter category were considered not only *outré* but also, for that very reason, subversive of the standards and principles of bourgeois order.

However, according to Mosse these sharp distinctions began to break down at the *fin de siècle* due to challenges from three different quarters: the literary and artistic *avant garde*, the decadent movement, and feminism. Each of these developments undermined previous middle-class certainties by calling into question the values on which the ideal of respectability rested. They also encouraged a greater blurring of gender roles and a more relaxed attitude toward the body and sexuality, including homosexuality. To many, this three-pronged assault not only seemed to threaten the integrity of the old categories, but presaged the decline of Western Civilization itself. This, Mosse proposed, is where National Socialism entered the picture. In essence, the Nazi movement promised that if it came to power it would restore respectability, bring back self-restraint, regulate sexuality, cleanse the world of perversion, and in general uphold the old middle-class dichotomies being overturned by the new mood of lassitude and permissiveness. The hatred of Jews was still at the center of Nazi ideology, as Mosse had argued before, but now he suggested that this hatred stemmed mainly from the Jews being turned into a different kind of anti-type, that is, into the opposite of everything embodied in the concept of respectability (e.g., morally "loose," sensuous rather than self-controlled, underhanded rather than forthright, and so on). In his

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later work, Mosse also began to claim that homosexuals as a type were despised almost as much as Jews, since by their very nature homosexuals seemed to "upset the acceptable order of things."[21] To support this claim, Mosse provided much evidence indicating that homosexuals, like Jews, were frequently portrayed as by nature "nervous," weak, and cowardly — qualities directly opposed to those of strength, decisiveness, and virility emphasized by the Nazis.

In sum, in *Nationalism and Sexuality* and other works since the 1980s,[22] Mosse offered a reconceptualization of what National Socialism was about. Now, the Nazi movement was portrayed as an attempt to "regenerate respectability" by re-establishing in the 20th century the taxonomies originally drawn up by the 19th century bourgeoisie. This made National Socialism a direct continuation, however corrupted, of a basically bourgeois frame-of-mind, for it now seemed that what the Nazis wanted was simply to vindicate the old middle-class categories, this time with force backed up by state power.

Clearly, these two explanatory frameworks answer the question "What went wrong in Germany?" in quite different ways. Whatever the reason for Mosse's shift from one framework to the other, it appears that the first explanation was probably closer to the mark than the second, for the link Mosse established between the respectable middle class and the Nazi movement has a number of problems he never satisfactorily resolved. For one, if there was in fact a close affiliation between the middle class mind-set and Nazism, one would expect to find strong middle-class support for the Nazi Party from the time of its founding in 1920. But such support was minimal until the depression hit Germany in 1929-30, and even then many middle-class people were drawn to the NSDAP for mostly non-ideological reasons. If one accepts the findings of Thomas Childers[23] and other historians of the late Weimar period, those from the *Bürgertum* who

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21. George L. Mosse, *Toward the Final Solution*, *op. cit.*, p. xv.

22. See, e.g., Mosse's 1985 "Prologue" to the 2nd. edition of *Toward the Final Solution*, *op. cit.*, pp. ix-xxiii; his "Nazi Aesthetics: Beauty without Sensuality," in *The Fascist Revolution*, *op. cit.*, pp. 183-97; and *The Image of Man: The Creation of Modern Masculinity* (Oxford: Oxford University Press, 1996), pp. 155-80 (especially 175-76).

23. See Thomas Childers, "The Limits of National Socialist Mobilisation: The Elections of 6 November 1932 and the Fragmentation of the Nazi Constituency," in *The Formation of the Nazi Constituency, 1919-1933*, ed. by Thomas Childers (Totowa, NJ: Barnes and Noble Books, 1986), pp. 232-59; and "The Middle Class and National Socialism," in *The German Bourgeoisie: Essays on the Social History of the German Middle Class from the Late Eighteenth to the Early Twentieth Century*, ed. by David Blackbourn and Richard J. Evans (New York: Routledge, 1991), pp. 318-37. See also Rudy Koshar, "Contentious Citadel: Bourgeois Crisis and Nazism in Marburg/Lahn, 1880-1933," in *The Formation of the Nazi Constituency*, *op. cit.*, pp. 11-36; Hans Mommsen, "The Decline of the Bürgertum in Late Nineteenth and Early Twentieth-Century Germany," in *From Weimar to Auschwitz*, tr. by Philip O'Connor (Princeton: Princeton University Press, 1991), pp. 11-27.; and Peter Fritzsche, *Rehearsals for Fascism: Populism and Political Mobilization in Weimar Germany* (New York: Oxford University Press, 1990).

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voted National Socialist did so mainly because of the Party's stance on particular local issues, or because of some attractive element in the Nazi domestic platform, or because of a desire to register a protest vote against the Weimar state, but *not* because of the Nazi position on, say, Jews or homosexuals. It may well be that many or even most bourgeois supporters of the Nazi Party considered anti-Semitism merely ancillary to the Nazi program: something that would eventually fall away once the Party's rough edges were smoothed out.

Furthermore, one cannot overlook the degree to which Nazism actively presented itself as an *anti*-middle class movement. Even though Hitler and some Party leaders lived private lives that often appeared conventionally bourgeois, they nonetheless consistently proclaimed their movement to be against those qualities usually associated with the middle class. The reasons for this are obvious. In their effort to win disaffected youth to their cause, the Nazis used the image of the middle class type (along with the Jew) as an object of derision. Whereas the "new German man" was pictured as vibrant, assertive, dynamic, willful, and determined, the typical bourgeois was portrayed as cautious, self-indulgent, materialistic, and lacking in "metaphysical depth." Because this censorial view of the middle class was very much part of Nazi ideology, it is difficult to think of Nazism as an extension, no matter how warped, of a middle-class outlook. Mosse was correct to see affinities between Nazism and some aspects of bourgeois thought, but this was not the whole story. Paradoxical or not, an anti-middle class emphasis was also a powerful and possibly even necessary component of Nazism, though with some exceptions Mosse tended to play this down.

Another problem raised by Mosse's analysis has to do with the concept of respectability. Certainly, respectability had its dangerous side, especially when fused with nationalist or racist prejudices,[24] but there is much in it that was salutary as well. After all, "being respectable" meant not so much despising or rejecting outsiders as strengthening one's character, being dependable, upholding standards of honor and decency, striving for integrity, and taking one's personal, family, and social responsibilities seriously — all qualities that do not seem all that objectionable.[25] Moreover, it is worth noting that in the West in the 19th and

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24. Even here, however, 19th century bourgeois morality may have been intolerant, but it was by no means genocidal. See Aschheim, *Culture and Catastrophe*, *op. cit.*, p. 128.

25. For a more favorable view of the middle class, and of bourgeois society in general, see Peter Gay's multi-volume *The Bourgeois Experience: Victoria to Freud* (New York: Oxford University Press, 1984ff.); the essays by Richard Tilly, Ute Frevert, and Wolfgang Kaschuba in *Bourgeois Society in Nineteenth-Century Europe*, ed. by Jürgen Kocka and Allen Mitchell (Oxford and Providence: Berg Publishers, 1993); David Blackbourn, "The German Bourgeoisie: An Introduction," in *The German Bourgeoisie*, *op. cit.*, pp. 1-45; Gertrude Himmelfarb, *The De-Moralization of Society: From Victorian Virtues to Modern Values* (New York: Vintage, 1996), especially pp. 31-52; and Anne Martin-Fugier, "Bourgeois Rituals," in *From the Fires of Revolution to the Great War*, tr. by Arthur Goldhammer and ed. by Michelle Perrot (Cambridge, Mass.: Harvard Unlversity Press, 1990), pp. 261-337.

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early 20th century it was the respectable middle class more than any other social grouping which pushed for more local self-government, encouraged the proliferation of voluntary associations, and spread the effects of "culture" (through the establishment of libraries, art galleries, music halls, and museums) more widely than ever before. For enlarging and enriching the public and cultural spheres in such ways, the middle class — as many historians are now coming to see — deserves to be praised at least as much as it deserves to be criticized.

Spiritual Longings and the Reality Principle

A second issue Mosse addressed was the relation between spiritual yearnings and mundane reality. This issue never became explicit in any of his books, but it was implicit in most of them. His concern might be summarized as follows. Since all human beings have a deep need to belong to some entity larger than the self, and to achieve some kind of "spiritual fulfillment," both needs must be considered constants in history, even though they have taken different forms at different times. Thus, several centuries ago, the medieval and Counter-Reformation Church not only understood these two needs very well, but skillfully channeled them in a specifically Catholic direction by means of powerful liturgies, rites, and rituals.

But by the 19th century, for economic and demographic reasons, the Church lost its hold on the population at large, and consequently was no longer able to satisfy the spiritual needs of growing masses of people. Moreover, just when religion lost its grip, producing in the process feelings of spiritual emptiness, matters were made worse by the advent of modernity, with its rapid industrial transformations and wholesale evisceration of the traditional *Lebenswelt.* One of the more unsettling effects of modernity was the profound sense of displacement and alienation it brought to increasing numbers of individuals, particularly in post-1800 Europe. Yet, according to Mosse, the malaise so many felt was eased by nationalism, which came to the rescue as a new and seductive *secular* ideology. The genius of nationalism was that it picked up and refunctioned many of the key rituals, festivals, and ceremonies formerly utilized by religion. In doing so, nationalism turned the need to belong into a need to belong to the nation; and it turned the quest for spiritual fulfillment into a quest for a deeper and more totalizing national identity.

In the 20th century, National Socialism responded by further secularizing and politicizing these two needs. "Belonging" now meant belonging to the *Volk* or the *Volksgemeinschaft*, and "spiritual fulfillment" was now said to come through active participation in the rites and liturgies of National Socialism.[26] Because of the destructive form these two interrelated needs ultimately took by the 1930s and 1940s, Mosse seemed wary of both of them, even though such needs had always been present in human beings due to the insufficiency of *any* reality to resolve the problem of alienation or satisfy yearnings for wholeness and integration. Yet,

26. George L. Mosse, *Nazism: A Historical and Comparative Analysis of National Socialism* (New Brunswick: Transaction Books, 1978), pp. 12-19.

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there is no good reason to consider either need pernicious in itself. The need to belong, for example, far from being dangerous, could be viewed as potentially wholesome, especially if directed toward one's family, kinship group, or community, for it is by means of such belonging that one obtains both some amount of ontological security and at least part of one's personal identity. Likewise, the need to achieve spiritual fulfillment should not be treated as suspect. This need, too, appears to be deeply rooted in the human condition, in part because the world is always inadequate to people's wants and desires. It always leaves people incomplete, and this very incompleteness generates longings for something else — something "stable and eternal"[27] rather than uncertain and fleeting like the world itself. From time immemorial, there has been the tendency to identify this "something else" with a transcendental reality, in comparison to which merely mundane existence is regarded as false or insubstantial. To become whole, or so it has been assumed, one needs to separate from the false world and connect with the true (i.e., transcendental) one, since only in this way will one's longings for completeness — including spiritual completeness — be fulfilled.

This notion has been present within the Western tradition for millennia. One finds it in early Near Eastern cosmologies, in Greek philosophy, in Christianity, in Gnostic and Neoplatonic currents of thought, in German idealism, and much else. Built into the supposition that there is a higher, more "authentic" reality than the flat, sensory one, are two basic assumptions. The first is that nothing less than "the Truth" lies in the higher, transcendental reality no matter what name it is given (e.g., "God," "Being," the "Forms," the "Idea," the "*Ding-an-sich*," etc.), while there are nothing but limitations, suffering, and imperfections in the material reality below. The second assumption, connected with the first, is that it is therefore essential to strive for fusion with authentic reality, since it alone can ground people in eternal meanings.

By and large, Mosse was uncomfortable with all talk about "another reality." For him, there was only one reality — the humanly-created one called history.[28] People might engage in honest disputes about the nature of this reality (here is where perception and interpretation come into play), but that was as far as he could go. For Mosse in the last analysis, a this-worldly reality is all there is, and there could be no legitimate mode of life that was not somehow anchored in it. Even the concept of "fulfillment"[29] had, in his opinion, to be redefined to mean

27. Mosse, *The Culture of Western Europe*, *op. cit.*, p. 8.

28. On this point Mosse was definitive: "outside history there is no reality." See George L. Mosse, *Nazism*, *op. cit.*, p. 29.

29. In *The Culture of Western Europe*, Mosse was explicit that the key to wholeness and fulfillment was more reason, freedom, and moderation in the world as is (pp. 419-23). But in *Confronting History*, written nearly forty years later, he added a fourth ingredient — one he would not have thought to mention before — namely, sexual liberation (pp. 180-81). Here Mosse seemed to have moved much closer to the Marcuse of *Eros and Civilization* and *Essay on Liberation*, even though he criticized Marcuse's views on sexuality in the 1960s.

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fulfillment *within* the framework of mundanity. Wholeness, if it were to come at all, would have to come not by contacting something transcendental, but simply by becoming freer, more autonomous, and happier here on earth.

Yet, in history the vast majority of people have believed in, and had faith in exactly the kind of other-worldly reality Mosse rejected. Of course, as a good historian Mosse strove to understand and empathize with these believing "others," and as best he could to see the world in spiritual terms as they did, but not being a faith-oriented or even a particularly spiritual individual himself,[30] he always did so from a skeptical and critical viewpoint. All claims that another, "ideal" world exists had to be taken as an expression of false consciousness, since such claims were merely *camera obscura* projections of human needs and desires (the classic Feuerbachian definition of reification). With this as a given Mosse saw history as a spawning ground for a variety of myths and illusions which have been wrongly accepted as "real." People create and then hold firmly to these myths and illusions in order to overcome alienation, but the result is just the opposite of what they intend, for as they became bound up in their own mystifications, they became even more alienated than before.

For obvious reasons, Mosse scorned all "flights from reality," though some were more objectionable than others. Here Mosse distinguished between two types of flight: one that represented merely an escape from the world, and another that represented what might be termed an "escape and return." The first he considered relatively harmless. Some people (like many Romantics) retreat to their illusory projections and get absorbed in them. This amounts to a regrettable waste of energy — energy that might otherwise have been channeled in a responsible social direction — but that is about the worst that can be said of the escapist flight from the world. The second was far more dangerous, even potentially murderous. Here, once one glimpses a putative "higher" or "deeper" reality, one feels the urge not just to merge with it, but to return to the world and transform existence in light of the ideal. To do so, however, usually means liquidating with a vengeance the apparently drab and ordinary reality in order to usher in something entirely new and different.[31]

For Mosse, this latter brand of idealism, with its drive to turn the world into a "fairy tale,"[32] needed to be condemned out of hand. His alternative to such fanaticism in politics was simply this: to give up all longings for purified *Volk* communities, workers' utopias, or New Jerusalems; to accept and embrace what he called "'real' reality" while simultaneously spurning everything that "carr[ies] one away from [it];"[33] and to work for social betterment within "what is," since human action has positive consequences only when it operates by means of what

30. Mosse, *Confronting History*, *op. cit.*, p. 172.
31. See, e. g., Mosse's *Crisis of German Ideology*, *op. cit.*, p. 14.
32. Mosse, *Nazism*, *op. cit.*, pp. 116-117.
33. *Ibid.*, p. 31.

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he called the "pragmatism of daily politics."[34]

In these few basic principles, one finds the core of Mosse's critique not only of 19th and 20th century marginalized thinkers bent upon a *volkish* transformation of society, but also of the theorists and ideologues of the Left, who likewise wanted revolutionary change from top to bottom. As far as the different groupings on the Left were concerned, one could almost predict Mosse's assessment of them by the attitudes they took toward "reality." If they renounced reality *in toto,* or wanted to see it utterly "redeemed" (because it represented, as the young Georg Lukács expressed it, a degraded "soulless immediacy"), Mosse had little good to say about them. He even criticized the seemingly innocuous German neo-Kantian socialists of the 1920s because, in his view, their abstract ethical idealism got in the way of a much needed practical approach to reality. To be sure, Mosse agreed *theoretically* with many of the neo-Kantian positions (e.g., the goal of universal brotherhood, the categorical imperative applied to life, and so forth), but in his writings he reproached neo-Kantian intellectuals for failing to enter the compromised realm of Weimar politics in order to fight for their principles in the day-to-day struggles that mattered.[35] In the same vein, Mosse also reproved the American New Left of the 1960s when it engaged in a total critique of capitalist society, but he commended it when it took a practical, reformist route toward social change.[36]

There is much to be said in favor of Mosse's "realistic" viewpoint, but it has its limitations. Because his perspective was so closely bound up with the heritage of the secular Enlightenment, he tended to be suspicious of needs or values whose provenance lay *outside* this legacy. Hence, the primordial need to belong, or the equally primordial need to contact some transcendental reality no matter how defined, seemed irrational, and therefore fraught with danger. This is no doubt a legitimate position, but it also carries risks if one judges these needs to be all bad. In fact, such needs are double-edged, for to the same degree that they have caused harm throughout history, they have also caused much good, including some of the highest intellectual, religious, and moral achievements of human culture.

Manliness and Modernity

A third topic that concerned Mosse — the idea of "masculinity" — was the subject of his penultimate book, *The Image of Man: The Creation of Modern*

34. Mosse, *Nationalization of the Masses*, *op. cit.*, p. 15.

35. See George L. Mosse, "Left-Wing Intellectuals in the Weimar Republic," in *Germans and Jews: The Right, the Left, and the Search for a 'Third Force' in Pre-Nazi Germany* (New York: Howard Fertig, 1970), pp. 171-225.

36. According to Mosse, the correct course for the New Left was to work "within the framework of local communities, trying to get people to make their own decisions. . . . at the grass roots." By means of "participatory democracy," he wrote, the New Left would be able to make "a link with political reality" (see *ibid.*, pp. 218-225). It goes without saying that Mosse distanced himself from the eschatological radicalism that cropped up on the Left in the late-1960s.

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Masculinity (1996). In this work, Mosse was typically less interested in the behaviors of men over time than in stereotypes of "manliness," and how these stereotypes were made use of by modern political ideologies. The framework Mosse utilized here was close to the one he relied on in describing the permutations of middle-class respectability. Briefly, the concept of manliness, Mosse averred, emerged in modern form in the late 18th and early 19th centuries. For the most part, the meaning of the term was decided by the ascendant bourgeoisie, with some borrowings from the aristocracy it was displacing. To be "manly" implied being tough, resolute, self-disciplined, courageous under adverse conditions, and having the capacity to bear pain stoically. By contrast, to be "unmanly" implied weakness, cowardice, and lack of character. Because manliness was viewed as something entirely positive, it was coopted by the scavenger ideology of nationalism in order to bolster its own political agenda. A nationalized manliness now also came to mean being patriotic, subordinating oneself to the interests of the state, and being willing to die for a "higher cause." But just when the virtues of masculinity appeared to be triumphant (circa 1880-1910), they were challenged by the aforementioned feminist and decadent counter-offensive which proposed that the ideal of manliness be radically re-thought. A "real" man, or so the counter-offensive maintained, is not one who is tough, but soft, not steel-like, but sensitive, not resolute, but amenable to change. Though in Mosse's view, this challenge had gained some momentum by the turn of the century, the outbreak of WWI in 1914 reversed all its advances, since almost instantly the previous notions of manliness surged back and became undisputed values once again. Now the goal for millions of young combatants on both sides was to "prove oneself a man" in the trenches. A re-energized and militant masculinity thus made its appearance — one that emphasized not only the importance of duty and male camraderie, but also bravery under fire (a quality now seen as comprising they essence of virility).

After the war, this militarized view of manliness did not disappear, but lingered on in Nazi *Männerbünde* in Germany, fascist *squadristi* in Italy, and similar groups elsewhere. In Mosse's analysis, something else happened, at least in Germany: a melding of manliness and racism, whereby the Aryan male became associated with the finest qualities of strength and self-control, while Jews were regarded as effete, fainthearted, and undisciplined — in other words, as entirely unmanly.

To complete his argument, Mosse contended that after the end of WWII, even with the defeat of fascism, some facets of the cult of manliness remained. Hence, in America, both the tough masculinity portrayed in films by John Wayne and Humphrey Bogart, and the heroic manliness that a whole generation of boys admired in the widely-read adventure and war-oriented comic books of the 1940s and 1950s, still left a mark on the post-war collective male psyche. But, starting in the 1960s and accelerating more rapidly after that, the old masculine stereotypes began dissolving as patriarchal attitudes fell away and the

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so-called separate spheres that had long divided men from women broke down. Now, a greater blending of the sexes began to occur in the workplace and in daily life, and a new androgyny made its appearance in the world of fashion, hairstyling, and bodily accoutrements. Though Mosse believed that earlier notions of manliness persisted and continued to provide some of the "cement of modern society,"[37] it was also evident that many such notions had retreated to subcultural enclaves, while in the dominant media culture the "macho man," far from being an ideal, had for the most part become merely the butt of jokes.

Mosse was right about the present-day dissolution of the standard image of manliness, but his explanation as to why this happened was not complete. In *The Image of Man*, he attributed this dissolution to the emergent youth culture, to the movement for women's equality, and to the gay liberation movement — all of which in their own ways helped subvert normative concepts of masculinity.

None of this was wrong as far as it went, but the reasons for the shift in attitudes toward manliness go perhaps still deeper to include: (1) The near disappearance from the public arena of a military culture, especially since the end of the Cold War; today, with the fading away of martial values, the formerly highly-touted virtues of manliness have failed to gain strong institutional support. (2) The rapid growth in the service sector of Western economies; with so many men now employed in service occupations, there has been an increased need to acquire "people skills," i.e., skills in getting along with or pleasing others, which may be helping to undermine previous concepts of virility and assertiveness.[38] (3) Changing child-rearing practices which have greatly deemphasized the cultivation of what are taken to be "masculine traits" in boys (aggressiveness, competitiveness, willfulness) in order to produce the new desideratum: the gentler, kinder male adult.[39] (4) The eclipse of strictly male institutions and associations such as clubs, fraternal orders, or even pool halls where, whether intended or not, masculine interests and attitudes had once been reinforced. (5) And the triumph of a largely therapeutic culture in Western Europe and North America: a culture that has gone a long way toward distancing itself from testosterone-driven masculine qualities now regarded as too stressful or anxiety-producing to be encouraged. Though one might think that these reasons for the contemporary decline of manliness as a value would deserve some attention, Mosse chose not to explore them in any detail.

Has the general weakening of manliness as an ideal been good or bad? The most vocal elements today seem to celebrate this weakening as something good, since it opens the door to other, more experimental, notions of "how to be a

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37. Mosse, *Image of Man*, *op. cit.*, pp. 191, 193.

38. See Peter Stearns, *Be a Man! Males in Modern Society* (New York: Holmes and Meier, 1999), pp. 157, 163.

39. On this point see William Pollack, *Real Boys: Rescuing Our Sons from the Myth of Boyhood* (New York: Henry Holt and Co., 1998); and Dan Kindlon and Michael Thompson, *Raising Cain* (New York: Ballantine Books, 1999).

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man." But arguably there has also been a loss that has followed from the erosion of the concept of manliness. For if manliness can be said to mean, as it once did, honor, integrity, character, responsibility, and fair play, then present-day society might well turn out to be the poorer were it to let these qualities slip in importance, or even vanish entirely as general social values. In *The Image of Man,* Mosse was aware of the problems created by the decline of the masculine ideal, even though he appeared willing to push what was already falling in order to see what kind of freedom lay on the other side of traditional manliness. Others have been less sanguine about a future emptied of the old notions of masculinity, but, of course, no one can predict what lies ahead. It may be that a century or two from now manliness will carry meanings that today are hardly imaginable.

George Mosse was one of a kind. As a person, he was charismatic and yet unpretentious, generous almost to a fault, and free of any trace of meanness or pettiness, as many have attested.[40] As a historian, he was one of the most insightful of his generation, able to stake out several fruitful areas of research and then leave it for others to fill in the details. Mosse's final book, *Confronting History*, is a reminder (if one were needed) that the world is richer because he lived in it, and more comprehensible because he wrote about it.

David Gross

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40. On Mosse the person, see (in addition to the essays by Breines, Aschheim, and Laqueur cited above) Sterling Fishman, "GLM: An Appreciation," in *Political Symbolism in Modern Europe*, op. cit., pp. 275-84; and Anson Rabinbach, "George L. Mosse 1919-1999: An Appreciation," in *Central European History*, Vol. 32, No. 3 (2000), pp. 331-36.

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Reconsidering Fascism

Pietro Neglie, *Fratelli in Camicia Nera: Communisti e Fascisti dal Corporativismo alla CGIL (1928-1948)* (Bologna: Il Mulino, 1996), 247 pp.

Giuseppe Parlato, *La Sinistra Fascista: Storia di un Progetto Mancato* (Bologna: Il Mulino, 2000), 404 pp.

That fascism was a movement of the Right is so deeply embedded in conventional political thinking that to suggest otherwise would be tantamount to reopening the question whether the earth is really round or flat. So firmly held is this conviction that fascism is commonly viewed as *the* prototypical 20th century form of a regime of the Right. It so defines this *genus* that even regimes beyond the temporal and geographical reach of historical fascism (e.g., Pinnochet's Chile) are called "fascist" if they appear to adopt authoritarian anti-communist programs. In this view, fascist Italy is conflated with Nazi Germany, though Italian fascism differed significantly in origin, program, and ideology — so much so, in fact, that had it not been for Mussolini's strategic alliance with Hitler during the late 1930s, the two regimes would have been classified separately. Instead, on the basis of this strategic alliance, where Italy was recognized as the weaker, less influential partner, it tended to become a mere shadow of the true Germanic form, and its history retroactively recast to culminate, teleologically and necessarily, in this fatal alliance.

More than thirty years ago, Renzo De Felice, the most distinguished historian of Italian fascism, argued for the need to distinguish between different *fascisms,* and to decouple Mussolini's Italy from Hitler's Germany. Having completed the first volume of his monumental biography of Mussolini, *Mussolini il Rivoluzionario*, De Felice argued that fascism emerged unambiguously as a heretical movement of the revolutionary Left, though it would drift toward the Right as Mussolini sought a *modus vivendi* with the traditional elite. This was the basis for De Felice's distinction between "fascism as movement" and "fascism as regime." Whereas "fascism as regime" represented an accommodation of all transformational aspirations to the higher imperative of securing and maintaining the cooperation of traditional elites, "fascism as movement" represented the continually frustrated and unrealized project of national-populist revolution through which Italian society and politics would be radically reconstituted. Absolutely fundamental to this framework, as well as to all discussions of "Left fascism" or fascism as an alternative "third way" between capitalism and communism, is the apprehension of fascism as a movement with firm roots, not in the Right, but

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rather in the Left — a movement whose initial leadership, program, and ideology called for overcoming Italy's traditionally weak liberal and bourgeois order.[1]

Italian fascism, as it unfolded after its founding in Milan's Piazza San Sepolcro, was an eclectic, contradictory, and complex historical phenomenon that defies any secure place on the Left-Right continuum; it followed no consistent developmental path, nor did the separate parts add up to a coherent whole. More and more, Italian fascism became what Mussolini decided to make of it, and this too changed with time and circumstance. In fact, unlike Hitler, Mussolini eliminated neither factions nor individuals within the movement, but rather encouraged competing factions and tendencies, whose enduring conflict made his external mediation progressively more routine and authoritative. Though within fascism there were identifiable currents that shared a general commitment to fundamental social transformation, these never subscribed to a common program, recognized a common leadership, or even cooperated to form a coherent "Left" opposition to Mussolini. There were "intransigents" like Farinacci, almost instinctually hostile to anything bourgeois, but lacking any ideological vision or political skill; corporatists, like Bottai and Spirito, who saw in the new corporative order an Italian equivalent to the bold new state intervention represented by Roosevelt's New Deal and Stalin's communism; revolutionary syndicalists, like Rossoni, Cianetti, and Fontanelli, who sought to realize a Sorelian syndicalist state (*autogoverno delle categorie*), and finally, highly politicized representatives of a young generation that came to maturity under fascism during the late 1930s. The latter, active in the fascist university youth movement (the GUF), the Littoriali, and labor syndicates, took the so-called "long voyage across fascism" (Zangrandi) to the anti-fascist opposition and, for many, ultimately to communism. Consider, for instance, the case of Davide Lajolo, who volunteered to fight for Franco in the Spanish Civil War. He was nominated as late as July 1943 to serve as vice-secretary of the Fascist Federation of Ancona, then joined an anti-fascist partisan fighting group (8 Divisione Asti) with Ruggero Zangrandi, commanded by Marcello Bernieri, yet another former fascist.[2] Lajolo would later become editor of *L'Unità* and a major figure in the postwar Italian Communist Party (PCI).

It should already be apparent that this is something quite different than the German case where, with the possible exception of the Strasser brothers, eliminated early on by Hitler, there were no significant Left tendencies and certainly none that continued to openly challenge Hitler, the Nazi party, and the regime's trajectory. There were at least four characteristics of the Left that set Italy apart from Germany. First, practically the entire founding group of the fascist movement

1. In fact, some contemporary scholars, such as A. James Gregor, identify "paradigmatic fascism" not only with Italian social revolution, but with "developmental dictatorship" more broadly understood. See my review of Gregor's recent work in the *American Political Science Review*, Vol. 94, No. 4 (December 2000), pp. 966-67.

2. Ruggero Zangrandi, *Il Lungo Viaggio attraverso il Fascismo* (Milan: Feltrinelli, 1976), pp. 517-19.

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came from the so-called subversive Left (maximalist socialists, revolutionary syndicalists, anarchists), where they received their initial political formation. Second, despite Mussolini's tactical accommodations with the traditional elites, the separate Left tendencies continued oppositional activities for the duration of the regime's twenty years, at times forcing Mussolini to change course (e.g., Mussolini's "anti-bourgeois campaign" can only be understood as a response to militant labor action and threats of mobilization on the part of fascist labor syndicates). Third, the fascist labor syndicates, though constrained by an authoritarian regime committed to order and social tranquility for which Mussolini became famous, never became domesticated extensions of the state, but continually pressed for a break with capitalism and the privileges of private property. Even Palmiro Togliatti, the Communist Party leader, explicitly recognized that Edmondo Rossoni, the head of the fascist labor confederation, was an authentic labor leader and certainly no stooge for the capitalist bosses. Rossoni, along with Massimo Rocca, A.O. Olivetti, and Arturo Labriola, spent time in the US before WWI, organizing Italian workers and collaborating with Big Bill Haywood of the IWW. Having supported the war, Rossoni attended the 1918 Inter-Allied Labor Conference at Leeds, organized by Samuel Gompers, and emerged as one of the major revolutionary syndicalists intent upon realizing the Sorelian vision of a syndicalist state. Fourth, Italian communists, fully cognizant of both the inner contradictions of fascism and the potential of these Left tendencies, thought and acted as if Italian fascism were fundamentally different from German Nazism. This is clear not only in Togliatti's *Lezioni sul Fascismo*, which differed radically from the Comintern's ludicrously simplistic view of fascism, but in two strategic moves that had no parallel in Germany. Against strong opposition from Comintern leaders, Togliatti encouraged communists to join fascist mass organizations, such as the labor syndicates and the *dopolavoro* during the 1930s, pushing them to become more militant in realizing the original fascist program of 1919 — a program Togliatti explicitly recognized as both progressive and democratic. Under his direction, the PCI also issued an important, though largely forgotten appeal to their "fascist brothers" (*fratelli in camicia nera*). Later, during the resistance and the immediate postwar period, the PCI actively, and rather successfully, recruited fascists of the Left as part of Togliatti's effort to build a new mass party and a unified trade union confederation. This task was so important that Togliatti and the PCI's "number two," Luigi Longo, were directly involved — an extraordinary opening to fascists, in stark contrast to the more prophylactic anti-fascism of the non-communist partisan forces, particularly the socialists. It goes without saying that a similar opening in Germany toward Nazis would have been inconceivable.

The two important books by Giuseppe Parlato and Pietro Neglie deal with the Fascist Left, and represent a new generation of historians influenced by Renzo De Felice. De Felice's critics, especially those on the Left, tended to deny fascism any status other than as movement of the extreme Right. Accordingly, from the time *Mussolini il Rivoluzionario* was published, De Felice was accused

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of muddying the clear line of demarcation between Left and Right, if not rehabilitating and legitimating fascism. In Italy, anti-fascism was not merely the first principle of post-war historiography, it fulfilled political functions as well, especially for the Marxist Left. Before 1989, it served to establish democratic credentials; if one were anti-fascist, one necessarily had to be democratic. Though Norberto Bobbio's thirty-year debate with the PCI demonstrated that this clearly was not the case,[3] especially for communists, even non-Marxist leftists, particularly former *partigiani* like Bobbio, were unsympathetic to De Felice's approach. As Bobbio would argue in his famous little book on Left and Right, the Left simply had to stand for something fundamentally opposed to the Right. After 1989, when Marxism had become a dead issue, no longer the pole around which the Left could be united, anti-fascism became a new basis for aggregation. Here, new ascendant movements of the extreme Right, such as Le Pen's *Front National*, could be reduced to resurgent fascism, necessitating, of course, vigilant anti-fascist resistance. Far from dead, fascism was always resurgent and, like weeds in the Spring, had to be perennially uprooted by watchful, experienced gardeners.

Fortunately, Italy has suffered less of the mean-spirited, self-righteous ideological constipation that afflicts contemporary French intellectual life: the threats against those who transgress clearly demarcated lines of political correctness, the pervasive self-censorship, and the ham-fisted *appels à la vigilance* against Alain de Benoist, Pierre-André Taguieff and other suspect crypto-fascist Sirens of the Chair.[4] By way of contrast, Italy has entered a phase of post-fascism, where old ideological divisions no longer leave the heavy tracks on scholarship or ideological debate that they did when De Felice was still alive. The books by Parlato and Neglie are written in a tone remarkably free from polemics and bombast, though in focusing on the fascist Left they navigate precisely that fault line which remains both the most contentious and least understood aspect of Italian fascism. The authors are modest in ambition and circumspect in drawing major inferences regarding either the settling of old scores or the "essential" nature of fascism, which remains, at best, eclectic, contradictory, and hopelessly complex. Neither suggests that fascism, in its totality, was an unambiguous phenomenon of the Left, any more that they would probably accept the false and outdated apperception of fascism, in its totality, as an unambiguous phenomenon of the Right. What they do succeed in doing is to establish, first, the authenticity of a fascist Left, and, second, to reconstruct how this Left reacted during successive stages to the other fascist currents, to the regime, and to the anti-fascist opposition. Read together, the two books offer complementary analyses; Parlato focuses his

3. See Frank Adler, "Socialisme et démocratie dans l'oeuvre de Norberto Bobbio," in *Les Temps Modernes* (October 1992); Franklin Hugh Adler, "Liberalismo, socialismo, democrazia in Norberto Bobbio," in *Il Ponte* (August-September 1993).

4. See Frank Adler, "Left Vigilance in France," in *Telos* 98-99 (Winter 1993-Spring 1994). This special double-issue of *Telos* contains the most complete dossier in any language of the so-called *appel à la vigilance* controversy that broke out in France during 1993.

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attention primarily on fascist labor leaders, while Neglie concentrates on relations between fascist labor leaders and communists — a topic treated gingerly, at best, in earlier studies, especially those written after 1948 by communist historians like the late Paolo Spriano.

Parlato argues that the most significant faction of *la sinistra fascista*, the one that persistently called for a *secondo fascismo*, a *fascismo sociale*, and a *terza via* was the revolutionary syndicalists. Unlike the other fascist currents, their origins as a group predated fascism, and their transformative aspirations continued well after the regime's demise. For them, fascism was never an end in itself, but rather a conjunctural means to realize a revolutionary goal that had been articulated well before the fascist movement was founded in 1919. Synthesizing the national-popular tradition of Mazzini, Garibaldi, Pisacane (a *Terza Italia*, an *Italia del Popolo*) with the Sorelian syndicalist initiatives at Fiume, which Alceste De Ambris incorporated into the Carta del Carnaro, the revolutionary syndicalists aimed at founding a syndicalist state where political power, state administration, and economic planning would be based on self-governing syndicates (*autogoverno delle categorie*). In fact, their analysis of the Risorgimento as a *rivoluzione mancata* bore a strong left-wing family resemblance to Gramsci's famous text in the *Prison Notebooks* in two respects: first, that the emergence of a weak, illegitimate and incompetent liberal state was due to the strategic failure of the Party of Action to realize a national-popular alternative; second, that a new non-liberal *classe dirigente* would emerge only within the context of a revolutionary movement which might complete the unrealized national-popular project posited during the Risorgimento. Whereas Gramsci expected a new *classe dirigente* to be formed within the Communist Party, the revolutionary syndicalists, of course, privileged the syndicate, convinced that only this structure, not a political party, communist *or* fascist, could embody a national-popular will and be truly transformative.

A periodization to account for the "*sinistra fascista*" would be divided into three consecutive phases. The first (1919-28) marked the defeat of Edmondo Rossoni's project of *sindacalismo integrale*, whereby employers would be compelled to join the fascist syndicates as the first step toward realizing a syndicalist state. It should be remembered that relations between Mussolini and the revolutionary syndicalists were far from harmonious at the time of the March on Rome, and that their association with fascism was more a marriage of convenience than a principled partnership. Just ten months earlier, Rossoni had continued to argue for absolute autonomy from the fascist party, De Ambris had refused any association with fascism, and A.O. Olivetti, perhaps the most prominent voice of revolutionary syndicalism, had remained at a conspicuous distance from the new government. Though Rossoni enjoyed qualified support from Farinacci and the intransigents, insisting on a "second wave," Mussolini committed neither to Rossoni nor to his organization; instead, he entertained the alternative possibility of reaching a separate accommodation with either the socialist CGL (General Confederation of

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Labor) or with De Ambris. Moreover, Mussolini, seeking more room for political maneuver as a centrist, sought accommodation with the traditional elites, especially the industrialists, at the expense of providing any support for the fascist syndicates, continuously accused of unauthorized demagoguery — by Bottai as well. The period ended with the break-up of Rossoni's unitary labor confederations into separate federations. Among the reasons for this move was Mussolini's suspicions regarding both Rossoni and his organization. Rossoni's legitimacy was derived neither from Mussolini nor from fascism, but from the fact that he had been continually elected to head the largest mass membership organization in Italy. The break-up and Rossoni's abrupt removal from the labor arena was an obvious attempt to break and domesticate the fascist syndicates, to make them clearly more dependent upon and subservient to the regime.

The second phase (1928-1936) was oriented toward corporatist restructuring as a *terza via*, where the corporations would be vehicles through which a transition beyond capitalism might be realized. Already in 1925, Rossoni had anticipated this shift in substituting a more statist program of *corporativismo integrale* for his initial project of *sindacalismo integrale.* As the Great Depression deepened during the early 1930s, corporatist proponents like Bottai and Spirito publicly recognized strong affinities between Italian corporatism, French planning, Soviet communism, and Roosevelt's New Deal — all state interventionist attempts at moving beyond traditional capitalist economies. At the 1932 international conference at Ferrara, Spirito (with Mussolini's advance approval) elaborated his "communist thesis" on proprietary corporations, that private property should be vested in the corporations. Bottai wrote an article for *Foreign Affairs* comparing corporatism and the New Deal as bold transformative experiments, as well as a favorable preface for the Italian edition of Stalin's *Bolshevism and Capitalism*, published in 1934 by Sansoni. In May 1935 in Rome, an Italo-French conference took place on corporatism and planning where French labor leaders and intellectuals from such journals as *Esprit*, *Combat*, and *Ordre Nouveau* met with Italian corporatist and labor representatives. Interviewed by *Le Figaro*, Spirito defined himself as a "*comunista gerarchico.*" Though fundamental disagreements over the status and role of syndicates continued, labor leaders generally supported corporatism as the sole means of overcoming their subordinate status, as well as reversing the strategic failures they had endured concerning such issues as generalized salary reductions and representation at the factory level (*fiduciari di fabbrica*). By 1936, however, it had become evident that the corporations, in Bottai's words, were stillborn. Confined largely to ceremonial functions, they would play no significant role in economic policy or state administration.

The third phase (1936 to the end of WWII) presented the greatest potential for the syndicalists not only to articulate radical alternatives to private property and new concepts of social solidarity, but to mobilize the growing social unrest caused by declining living conditions and the bureaucratic involution of the regime, by

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now openly criticized by a broad range of actors. Responding to this declining situation, and thoroughly disillusioned by the failed take-off of the corporatist project, labor leaders reaffirmed the primacy of the syndicate over the fascist party, which had become little more than a devitalized and thoroughly choreographed extension of the regime. They called for a "*ribloccamento*" of the separate labor organizations into a unified structure," a return to internal democracy to replace the practice of appointment from above, juridical recognition of *fiduciari di fabbrica*, salary increases, and social welfare provisions to ameliorate the effects of widespread unemployment and to counter the negative effects of autarchy. Though there were modest salary increases, as well as a weakened version of *fiduciari di fabbrica*, most of the labor initiatives, and certainly the more radical ones concerning planning and the status of private property, remained only on paper. Mussolini characteristically responded to the unrest of the mid-1930s by offering ideology instead of substance, launching a polemic against the "bourgeois spirit," selfish and intrinsically anti-fascist. Rather than attack the actual bases of bourgeois power and influence, Mussolini delivered what he called the "three punches to the stomach of the bourgeoisie" (*tre cazzotti allo stomaco*): the *antilei* campaign (against the traditional *lei* pronoun, identified as anti-popular), as well as two Nazi-inspired measures, introducing the so-called *passo romano* marching step (an Italian copy of the infamous goose-step), and racial legislation against the Jews, denounced as living incarnations of the bourgeois spirit. While few labor leaders embraced such measures as adequate responses to their demands, there was no resistance to excluding Jews from their organizations nor to the growing convergence with Nazism. Cianetti, one of the few labor leaders with pronounced filo-Nazi views, became Minister of Corporations, and in July 1943, shortly before Mussolini's fall from power, advocated the construction of labor camps for Jews in the regions of Veneto, Lombardia, Piemonte, and Lazio.

After Mussolini was removed from power, some labor leaders like Fioretti called for creating a new labor party, others, like Landi, made contact with the anti-fascist resistance with the aim of laying the basis for a unified national Left. Many important labor leaders (Landi, Fioretti, Del Giudice), and practically all those who presided over the confederations at the time of Mussolini's fall, either had broken with fascism or played no role in the creation of the new "social republic" of Saló. Contacts between syndicalists and anti-fascists, especially communists, intensified once the war ended. Despite considerable opposition within the Comintern, Togliatti had already advocated *entrismo* on the part of communists into the fascist syndicates during the mid-1930s, hoping to intensify the regime's contradictions through support of militant labor action based on actualizing the original 1919 fascist program. Collaboration with the so-called *fratelli in camicia nera*, as Neglie demonstrates, continued well after the war ended in an effort to create a unitary labor confederation. Toward this end, Landi, Fontanelli, Fioretti, Panunzio and other labor leaders formed the *Movimento Sindacalista*

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(Mosi) in 1947. Though both fascist syndicalists and communists shared fundamental anti-capitalist commitments, the syndicalists, especially after having endured a twenty-year subordination to the fascist party, called for an autonomous labor confederation, as opposed to Togliatti's Leninist orientation, where the syndicate was to be a "transmission belt" subordinate to the "directing role" of the Communist Party. In any event, by the end of 1948, with the onset of the Cold War and the formation of separate labor confederations tied in varying degree to different political parties (including a neo-fascist syndicate, Cisnal, tied to the newly formed neo-fascist party, the MSI), both the unified labor project and all significant collaboration between communists and ex-fascists ended. It is worth noting, however, that not all the fascist syndicalists ended up either in the MSI or Cisnal; many found their way into the parties and labor confederations of the Left.

Studies such as Parlato's and Neglie's usher in a new stage of research on Italian fascism — one less partisan, monochromatic, and relentlessly demonological. What is needed now is further work on Left fascist currents beyond the labor syndicates, especially in the areas Togliatti felt were intensely contradictory, such as the organization of leisure (*dopolavoro*), culture, and youth. Undoubtedly, Togliatti drew upon Gramsci's 1926 prediction that to the degree fascism sought to become totalitarian, to absorb all of Italian society, it would reproduce all of the conflicts that would have no other place to express themselves.[5] Most of the historical literature in these areas has stressed how these spheres were regimented by an increasingly authoritarian state. Yet, while this was certainly the case, it is also true — as Gramsci and Togliatti anticipated — that they became sites of contestation as well. This, "ital." the official journal of fascist university youth (GUF, *Gruppi universitari fascisti*), attacked the growing bureaucratization of the fascist party, the strangulation of all corporatist initiatives, as well as Italy's growing alignment with Nazi Germany and mimetic racism. Italy's illustrious postwar intellectuals were not miraculously hatched after Mussolini fell from power; many actually began writing in such "fascist" journals, a point noted long ago by Zangrandi in *Il Lungo Viaggio attraverso il Fascismo*. Similar observations could be made for other spheres of culture, such as cinema. Without in any way excusing the fascist regime, its notorious crimes and innumerable blunders, the new scholarship nevertheless illuminates spheres of thought and action that were overlooked, if not systematically avoided, in the older accounts which in fascism saw little beyond evil, culpability, and complicity.

Frank Adler

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5. The exact quotation from Gramsci is worth noting, "It is necessary to examine the stratification of fascism because, given the totalitarian system that fascism tends to institutionalize, it will be within fascism that the conflicts that cannot manifest themselves in other ways will tend to resurface." *Il Terzo Congresso del Partito Communista d'Italia Sezione dell'Internatazionale Comunista*, (Rome: 1926), p. 40; as cited by Renzo De Felice, *Mussolini il fascista II* (Turin: Einaudi, 1968), p. 4.

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Military Anti-Semitism

Joseph W. Bendersky, *The "Jewish Threat": Anti-Semitic Politics of the U.S. Army* (New York: Basic Books, 2000), 434 pp.

Academic scholarship on major social problems often runs into political minefields. Works on anti-Semitism run even more complicated risks. Joseph Bendersky's detailed analysis of an aspect of the "demonizing" of Jews in the US might well have fallen on the academic battlefield had he not documented his long exposition so well. *The "Jewish Threat"* takes up anti-Semitic attitudes at the officer level in the US Army for roughly the first three-quarters of the 20th century. By focusing on officers, most of whom were connected to Military Intelligence, he documents the weight of anti-Semitism on policy-making. His account depends heavily on the archival material of the Military Intelligence Division (MID), available only since the mid-1970s. According to Bendersky, it took over a decade to retrace the entire trajectory.

The Prologue, "The Jewish Files," begins with an anectode involving Captain John B. Trevor, a key figure. In May 1919, Trevor sent an urgent request from New York City (where he was deployed to draw an ethnic map of the city) to Military Intelligence in Washington, D.C. for the means to protect New York from an immanent uprising of Jewish Bolsheviks. Of course, Trevor's alarm followed the Red Scare of 1919 subsequent to the Bolshevik victory in Russia. Bendersky provides ample details concerning the depiction of Jews by Trevor and his associates. The characterization of Jews as subversive, megalomanic, barbaric, and disloyal fits well with Jewish traits associated with those seeking to spread the Bolshevik Revolution across the globe. These anti-Semitic impulses had an impact before the Red Scare, but they soon became wedded to larger and more pervasive ideas in American culture during the 1920s. Mixed with Social Darwinism and old-time American nativism, these hybrid ideas about Jews gained currency within parts of American public opinion, especially among military officers in Military Intelligence.

According to Bendersky, there are over 2,000 reports concerning Jewish activities from 1918 to 1941 in MID under the listing: "Jews: Race." Thus, a special dossier, MID file 245, was developed during the early 1920s for what was considered the "Jewish Question." It contains letters among officers, secret agents, state secretaries, and embassies abroad, which name Jews who presumably were influencing German banking and industrial centers, and discusses those reputedly controlling the Soviet government. An implosive, racially-tinged politics seems to have developed during the Red Scare. It played out in xenophobia

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and immigration policy, as well as in a growing isolationism that continued well after the Red Scare hysteria had died down. Bendersky suggests that the failure to become involved with, and ultimately save Jews during the war, is at least partly due to the anti-Semitism he has discovered in the history of the military. The book provides a long description of military anti-Semitism as it intersects with intelligence, government policy, and political debate.

Bendersky describes how hybrid anti-Semitic ideas became part of the worldview of the officer corps during the first third of the 20th century. Social Darwinism had a major impact in the US at a time when the officers' worldview became systematically anti-Semitic. The Jew became a particular kind of socio-biological "specimen" linked to all of the world's problems. Intellectual currents were leavened by the social psychology of William McDougall, who sketched out a racially-based, instinct theory. He was very influential in England and the US, and his thought was unmistakably anti-Semitic.

He taught at the National War College, where officers received "elite" training for important Army posts. The infamous *Protocols of the Elders of Zion* came out in the US in early 1919, but a copy had already been acquired by MID a few months earlier as part of its preventive vigilance. The *Protocols* purported to be a plan by Jews to dominate the world and, although shown to be a hoax in 1921, continued to influence significant sectors of the military. To MID, Jews were a constant threat to revolt, and to dominate the country, as they had done in Russia. Bendersky demonstrates how this hybridized anti-Semitism played a role in restricting immigration in 1921, and the enactment of a permanent law to that effect in 1924. This and other laws exhibited all of the standard paranoia and isolationism of the Red Scare era. They loomed large from 1933 to 1945 *vis-à-vis* immigration of Jewish refugees from Germany and other war-torn countries in Europe.

Bendersky lists many people with anti-Semitic ideas, nativist reflexes, and isolationist stances — people connected to decision-making in the military and in foreign relations. There is a reaction to "International Jewry" as a matter of MID policy, and segments of MID serving as military attachés and advisors in embassies all over Europe during the 1930s. Although anti-Semitism is usually cast as extremist and demagogic, these ideas found in letters, diaries, and intelligence reports come across as rather mainstream. Bendersky's account is compelling and incontrovertible. It is startling to see the wealth of evidence about anti-Semitic ideas and the influence they had, especially since previous histories of the military hardly ever mention anti-Semitism.

The most important issue Bendersky takes up is the fate of European Jews, which already has generated a considerable literature. Controversies rage about the failure to rescue Jews from the Nazis, their immigration to the US before 1939, and the rescue of Jews on the brink of extermination in and outside of the camps. Bendersky is on solid ground when he explores the persistence of

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restrictive American immigration policies through 1938, even after *Kristalnacht*. There was constant pressure to reject Jews from Germany, and official discussions were influenced by people whose anti-Semitism is unequivocal. Here, Bendersky discusses once again the role of John Trevor, who in the meantime had become chairman of the American Coalition of Patriotic Societies — a group encouraging the constant tightening of immigration regulations.

There were other anti-Semites in and around the State Department and foreign service. All of them played a role in upholding immigration restriction and in maintaining benign neglect *vis-à-vis* Jews in Germany. Of note are Colonels Jacob Wuerst and Truman Smith, American military attachés in Berlin in the 1930s, who, if not anti-Semitic, clearly promoted Hitler as a respectable leader.[1] Bendersky's account of these policies is rather short. Yet, he cannot be faulted on this score. His book is about anti-Semitism. Its merit is to have raised the importance of anti-Semitism in immigration-isolationist disputes up to 1939. While other authors have avoided dealing with anti-Semitism as an issue in immigration restriction, Bendersky's evidence intimates that it might have played a central role.

The "Jewish Threat" could not possibly discuss the question of who thought Jews would be exterminated.[2] Saving Jews *during* the war, however, is another matter. They are no longer immigrants but prisoners.[3] Saving or failing to save the Jews has to do with anti-Semitism, but it is not clear whether it is actually related to the people Bendersky discusses. FDR and his administration were often referred to by anti-Semitic extremists as the "Jew Deal," which helps explain why from 1933 on the government was very careful to avoid any characterization of the conflict as a "Jewish War."

Bendersky concludes by showing that anti-Semitism crept up everywhere there were Jews in and around the military. The poor wretched souls rescued from the camps were the objects of anti-Semitic invective, because they could not act like normal people after having been liberated. Thus, their despair for food, understandable under the circumstances, was interpreted by Allied soldiers, including officers, as evidence that they were as bad as the anti-Semitic tradition had described them. The very end of the book shows how the Cold War view of subversives owes a great debt to the racism of earlier times. The military record is filled with locutions like "The Jewish Question," well after the Nuremburg trials and the recognition Nazi horror. Members of the Joint Chiefs of Staff were making anti-Semitic remarks in the early 1970s, and were clearly bothered by

1. Not mentioned is Breckenridge Long, who has been chastized by most Holocaust scholars for dragging his feet on rescue during the war. Wilbur Carr, another well-known anti-Semite, who dealt directly with Jewish visa applications in Berlin and later Austria up to 1936, is only mentioned in passing.

2. The topic is taken up in Deborah Lipstadts' *Beyond Belief* (New York: Free Press, 1986), which Bendersky does not cite.

3. Controversy rages here as well, sparked by William Rubenstein's *The Myth of Rescue* (London: Routledge, 1997).

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Henry Kissinger's Jewishness. At any rate, after six million Jews had been killed, these stereotyped reactions by the old guard at high governmental levels suggests that anti-Semitism in the military may have been even more extensive than Bendersky has documented.

Martin J. Kelly, Jr.

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